













**25CI1:25-cv-00177-WLK** CROFT v. BUZBEE et al

Winston L Kidd, presiding

**Date filed:** 03/05/2025**Date of last filing:** 03/21/2025

## History

<b>Doc. No.</b>	<b>Dates</b>	<b>Description</b>
<a href="#"><u>2</u></a>	<i>Filed &amp; Entered:</i> 03/05/2025	 Complaint
<a href="#"><u>3</u></a>	<i>Filed &amp; Entered:</i> 03/05/2025	 Summons Issued
<a href="#"><u>4</u></a>	<i>Filed &amp; Entered:</i> 03/05/2025	 Summons Issued
<a href="#"><u>5</u></a>	<i>Filed &amp; Entered:</i> 03/05/2025	 Summons Issued
<a href="#"><u>6</u></a>	<i>Filed &amp; Entered:</i> 03/11/2025	 Amended Complaint
<a href="#"><u>7</u></a>	<i>Filed &amp; Entered:</i> 03/12/2025	 Letter(Generic)
<a href="#"><u>8</u></a>	<i>Filed &amp; Entered:</i> 03/14/2025	 Summons Issued
<a href="#"><u>9</u></a>	<i>Filed &amp; Entered:</i> 03/14/2025	 Summons Issued
<a href="#"><u>10</u></a>	<i>Filed &amp; Entered:</i> 03/14/2025	 Summons Issued
<a href="#"><u>11</u></a>	<i>Filed &amp; Entered:</i> 03/21/2025	 Order Appointing Attorney
<a href="#"><u>12</u></a>	<i>Filed &amp; Entered:</i> 03/21/2025	 Order
<a href="#"><u>13</u></a>	<i>Filed &amp; Entered:</i> 03/21/2025	 Order Appointing Attorney

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**EXHIBIT**  
**A**

**CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**MARCY CROFT**

**PLAINTIFF**

**VS.**

Case No. 25-177

**ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO**

**DEFENDANTS**

**COMPLAINT**

*JURY TRIAL DEMANDED*

COMES NOW Plaintiff, MARCY CROFT, by and through undersigned attorneys, and sues Defendants, ANTHONY G. BUZBEE ("Buzbee"), ANTHONY G. BUZBEE, L.P. D/B/A THE BUZBEE LAW FIRM ("The Buzbee Law Firm"), and JOSE MALDONADO ("Maldonado"), and in support thereof states as follows:

**INTRODUCTION**

1. This lawsuit is about exposing a fraud, dismantling a smear campaign, and holding the Defendants accountable for their deliberate and malicious lies. Defendant Anthony G. Buzbee—a lawyer who thrives on intimidation, spectacle, and self-promotion—has embarked on a calculated scheme to destroy the reputation of Plaintiff Marcy Croft, a widely respected attorney with a nearly thirty-year career built on skill, ethics, and integrity. Working together, Buzbee and Jose Maldonado—a recipient of Ms. Croft's pro bono services—have exploited the generosity of Ms. Croft in a desperate attempt to silence her, and former and current Buzbee clients. Knowing he cannot challenge Ms. Croft on the merits, Buzbee has resorted to fabrications, falsely accusing her of committing multiple felonies and spreading false and defamatory statements designed to damage her professional standing and personal credibility.



2. To be clear, Buzbee's campaign is not the work of a principled advocate; it is the desperate flailing of a man whose own legal troubles have made him reckless in his attempts to deflect scrutiny. Buzbee and his law firm have manipulated the legal system, peddled false narratives, and sought to weaponize his platform to tarnish Ms. Croft's name. But truth matters. Integrity matters. And Buzbee's actions—his repeated lies—have consequences. This lawsuit is not just about restoring Ms. Croft's reputation; it is about making clear that no one, no matter how loud or powerful they believe themselves to be, is above the law.

### PARTIES

3. Plaintiff Marcy Croft is an adult resident citizen of Madison County, Mississippi, who conducts regular business through her law firm in Hinds County, Mississippi. Defendant Anthony G. Buzbee is an adult resident of the State of Texas, residing at 1722 River Oaks Blvd., Houston, Texas 77019, and may be served with process at that address or at any other location authorized by the Mississippi Rules of Civil Procedure. Defendant Anthony G. Buzbee, L.P. d/b/a The Buzbee Law Firm is a limited partnership with Buzbee as owner and limited partner, and Services by AGB, L.L.C. as president and general partner. Anthony Buzbee is the president, manager, and sole member of Services by AGB, L.L.C. The Buzbee Law Firm is located at 600 Travis Street, Suite 7500, Houston, Texas 77002, and may be served with process upon Peter Taaffe at 600 Travis Street, Suite 7300, Houston, TX 770002, or any other agent authorized by the Mississippi Rules of Civil Procedure. Defendant Jose Maldonado is an adult resident of the State of Texas, residing at 2209 Mulberry Lane, Pasadena, Texas 77502, and may be served with process at that address or at any location authorized by the Mississippi Rules of Civil Procedure.



### JURISDICTION AND VENUE

4. This Court has subject matter and personal jurisdiction over the claims, causes of action, and the Defendants in these proceedings because, among other things, Defendants intentionally targeted tortious acts into Mississippi and the harmful effects of those acts were felt here. Miss. Code Ann. § 13-3-57.

5. Venue is proper in Hinds County, Mississippi, as it is where a substantial event that caused the injury and the injury itself occurred. Miss. Code Ann. § 11-11-3.

### FACTS

6. This lawsuit arises from a deliberate and malicious campaign of defamation and legal intimidation against Plaintiff Marcy Croft. Defendants Anthony G. Buzbee, The Buzbee Law Firm, and Jose Maldonado, acting in concert, have engaged in a calculated effort to destroy Ms. Croft's personal and professional reputation through dissemination of falsehoods, misrepresentations, and baseless claims of conspiracy, intimidation, and criminal activity—all the while it is *they* who engage in such tactics. *See infra* ¶¶ 12–58.

#### Ms. Croft's Legal Practice

7. Ms. Croft has been a well-respected member of the Mississippi State Bar for nearly three decades, recognized for her integrity, advocacy, and exceptional legal acumen. Throughout her distinguished career, she has been guided by one key principle: seeking civil and criminal justice for all.

8. An experienced trial lawyer, Ms. Croft has successfully represented Fortune 500 companies in complex mass tort litigation, uncovered fraudulent legal schemes that resulted in the dismissal of tens of thousands of claims, and played a critical role in exposing unethical practices in litigation throughout the nation. Beyond high-stakes corporate litigation, she has devoted



significant *pro bono* efforts to criminal justice reform, advocating for incarcerated individuals within the Mississippi Department of Corrections. Ms. Croft was the lead litigator in exposing the inhumane conditions at the Mississippi State Penitentiary at Parchman, proudly working alongside Team Roc, the philanthropic arm of entertainment company Roc Nation, to improve conditions that were causing injury, illness, and death at what was recognized at the time as the country's worst and most dangerous prison in a remote corner of the Mississippi Delta. That advocacy led to an investigation by the Department of Justice and a broader movement to reform prison conditions in Mississippi, making all its citizens safer.

9. Ms. Croft's clients regard her as an honest, fair, and diligent advocate. She is known for taking on tough opponents and standing firm in the face of adversity and intimidation. Throughout her career, she has demonstrated that she does not back down from a challenge, earning a reputation as a formidable advocate who fights tirelessly for justice. Respected by bench and bar alike, Ms. Croft has received numerous peer-nominated awards, honoring her professionalism, excellence, and commitment to the rule of law, including recognition in *Benchmark Litigation's* inaugural "Top 250 Female Litigators in America" list. She has been consistently recognized over the years by *Super Lawyers* and *Best Lawyers in America*, is a member of the Pro Bono College of the State Bar of Texas, and maintains an AV Preeminent rating with Martindale-Hubbell. Additionally, she has chaired national conferences on fraud and abuse in litigation, served as a lecturer at national legal seminars, and served in liaison counsel roles in federal multi-district litigation proceedings. As a recognized leader in fraud detection and litigation strategy, she has advised on high-stakes crisis management matters and successfully represented clients in some of the nation's largest and most complex legal disputes.



10. Indeed, it was Ms. Croft's excellent reputation that enabled her to strike out on her own, co-founding her firm, MJ Legal, P.A. in Jackson, Mississippi, four years ago.

11. Unfortunately, Ms. Croft's closely guarded reputation has suffered and will continue to suffer harm due to Defendants' coordinated effort to spread falsehoods and damage her professional standing.

*Maldonado Appears to Engage Plaintiff As Part of Deliberate Buzbee Scheme*

12. On December 17, 2024, Jose Maldonado contacted Ms. Croft in Mississippi, ostensibly to ask for her help and guidance. As far as Ms. Croft knew, Maldonado contacted her because he believed his former lawyer had exploited him. That lawyer was Buzbee.

13. As she has done for countless people in need, Ms. Croft agreed to help Maldonado and offered to provide a free case assessment. This was standard practice for Ms. Croft, who routinely reviews legal issues on a *pro bono* basis, advises on the viability of claims, and then refers individuals for legal representation when appropriate. Maldonado was no different.

14. After dedicating time and expertise to reviewing Maldonado's claims, on December 19, 2024, Ms. Croft spoke with Maldonado again. She informed him that, while she believed he had likely been the victim of a fraudulent scheme perpetrated by his former counsel, she did not believe that he had a viable civil case based *inter alia* on the limited set of documents he provided. That call occurred while Ms. Croft was in Mississippi. This call was the last time Ms. Croft spoke with Maldonado.

15. On December 21, 2024, Ms. Croft discovered an email Maldonado had sent her firm on December 18, 2024, stating that her services were no longer needed. Strangely, Maldonado failed to mention this during their December 19 phone call, raising concerns about his intentions. At that point, Ms. Croft ceased all work related to Maldonado.



16. But Maldonado's work to engage with Ms. Croft wasn't done. Despite his December 18 email, Maldonado reached out to Ms. Croft in Mississippi again on December 23, 2024, stating that he had seemingly found the rest of the paperwork for his case. Ms. Croft did not respond, reasonably relying on his email. Soon after, Ms. Croft learned that Maldonado had partnered with Buzbee and his law firm at or around the same time Ms. Croft had been providing legal advice to Maldonado. The very lawyer Maldonado had initially sought legal advice to bring claims against was actually his ally, and on information and belief part of a coordinated attempt to entrap Ms. Croft.

17. Upon information and belief, what initially appeared to be a genuine request for legal assistance to Ms. Croft in Mississippi was ultimately weaponized against Ms. Croft, raising serious doubts about Maldonado's true intentions and suggesting his actions were part of a deliberate scheme from the outset.

Uncovering Buzbee's Corruption

18. This partnership between Buzbee and Maldonado becomes even more troubling in light of the financial irregularities Ms. Croft uncovered while assessing Maldonado's claims. During her brief involvement with Maldonado, Ms. Croft discovered alarming details regarding a case involving the Buzbee Law Firm's financial practices: *Guadalupe Garza v. Callan Marine, LTD*, No. 2020CCV-61002-3 (Nueces Co. Ct. at Law No. 3, filed July 17, 2020) [hereinafter "*Garza*"]. This case involved allegations of unpaid, insufficient, or delayed maintenance payments to one of Buzbee's former clients. Maldonado's name appeared in a motion to compel filed in that case. *See* Ex. A (Resp. to Mot. to Quash Texas Access to Justice Subpoena or, Alternatively, Issue a Protective Order and Mot. to Compel, filed in *Garza* on Sept. 12, 2022) at 4, Exs. 10, 12.



19. In that motion, a maritime defendant, Callan Marine, sought a subpoena to investigate The Buzbee Law Firm's numerous bank accounts, including certain accounts at HomeTown Bank in Galveston, Texas. Callan Marine discovered that the Buzbee Law Firm told clients that Callan Marine had failed to make necessary maintenance and cure payments. Callan Marine asserted that, contrary to these false allegations of non-payment, it had "consistently honored" its financial obligations by sending maintenance checks to plaintiff's counsel, "trust[ing] that The Buzbee Law Firm [would] forward [the] check[s]" to its client. Ex. A at 1, 2, Ex. 6. Unfortunately, that trust was misplaced as, according to the court filing, those checks never reached their intended recipients.

20. Callan Marine alleged that The Buzbee Law Firm electronically deposited client maintenance checks into its own bank accounts at HomeTown Bank. Ex. A at 3, 4, Exs. 7, 10, 11, 12. As part of its subpoena request, Callan Marine sought to determine whether these accounts were originally designated as business operations accounts or official IOLTA trust accounts. It specifically inquired about how these accounts were classified and when, if ever, they were formally designated as trust accounts. The unclear status of these accounts raised significant concerns about whether client funds were improperly commingled or misused. Ex. A at 4, Ex. 9.

21. The motion further revealed that these transactions were not isolated incidents. Callan Marine noted that the relevant bank account was just "one of multiple accounts into which similar funds [had] been transferred." Ex. A at 4. The motion cited multiple deposits, including two instances in which checks made out to Jose Maldonado had been "electronically deposited by The Buzbee Law Firm." *Id.*



THIS DOCUMENT HAS A GRADUATED BACKGROUND DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ANTI-COPY WATERMARK

**H&H Claims Consultants**  
FBO Jose Maldonado  
40 Cypress Creek Pkwy #435  
Houston, TX 77060-3530  
281-350-9996

Prosperity Bank  
2828 FM 1960 East  
Houston, TX 77073-2606  
281-443-7600

1004

DATE 7/7/2020

88 22657 1131 43

PAY TO THE ORDER OF JOSE MALDONADO \$ \*\*525.00

Five Hundred Twenty-Five Only \*\*\*\*\* DOLLARS

MEMO 13262  
MAINTENANCE 7/7/2020 (UNDER PROTEST)

11131226551 08 6283 51 1004

ANTHONY G BUZZEE 1P REMOTE DEPOSIT 07/19/2020 11:43:56

By Jose Maldonado  
By Buzbee Law Firm  
For Deposit Only 10000398

THIS DOCUMENT HAS A GRADUATED BACKGROUND DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ANTI-COPY WATERMARK

**H&H Claims Consultants**  
FBO Jose Maldonado  
40 Cypress Creek Pkwy #435  
Houston, TX 77060-3530  
281-350-9996

Prosperity Bank  
2828 FM 1960 East  
Houston, TX 77073-2606  
281-443-7600

1001

DATE 8/4/2020

88 22657 1131 42

PAY TO THE ORDER OF JOSE MALDONADO \$ \*\*2,450.00

Two Thousand Four Hundred Fifty Only \*\*\*\*\* DOLLARS

MEMO 13262  
MAINTENANCE 8/23/2020 (UNDER PROTEST)

11131226551 08 6283 51 1001

ANTHONY G BUZZEE 1P REMOTE DEPOSIT 08/10/2020 09:18:56

By Jose Maldonado  
By Buzbee Law Firm  
For Deposit Only 6000398

Ex. A at Exs. 10, 12.

22. Given that Callan Marine's checks had been sent to The Buzbee Law Firm but never reached the clients, the central question became: "where did the money go?" Ex. A at 7.

23. When Ms. Croft spoke with Maldonado, he, too, had the same question regarding his Callan Marine checks—where did his money go? Maldonado told Ms. Croft that was not his signature and that he did not authorize Buzbee or his firm to sign his name and deposit those checks into account numbers 6000398 or 68853 at HomeTown Bank, N.A. or any other bank on the dates in question.<sup>1</sup>

24. Buzbee's other former clients appear to be asking the same question. Recently, Buzbee has been sued by two former clients for breaches of fiduciary duty related to the mishandling of settlement funds. *See Thompson v. Buzbee, et al.*, No. 2:24-cv-02827 (E.D. La. filed Dec. 9, 2024); *Guidry v. Buzbee, et al.*, No. 2:24-cv-02873 (E.D. La. filed Dec. 13, 2024). The allegations contained in those lawsuits expose exceptionally unethical practices. And another suit—whether from Maldonado or any of Buzbee's former clients questioning his firm's handling of loans to clients and the financing of medical expenses—could have further exposed Buzbee. *See id.* This explains why he sought to undermine Ms. Croft before more of his actions came to light.

*Buzbee's Defamation Campaign Begins – Instagram Edition*

25. So, caught in a web of his own lies, Buzbee lashed out.

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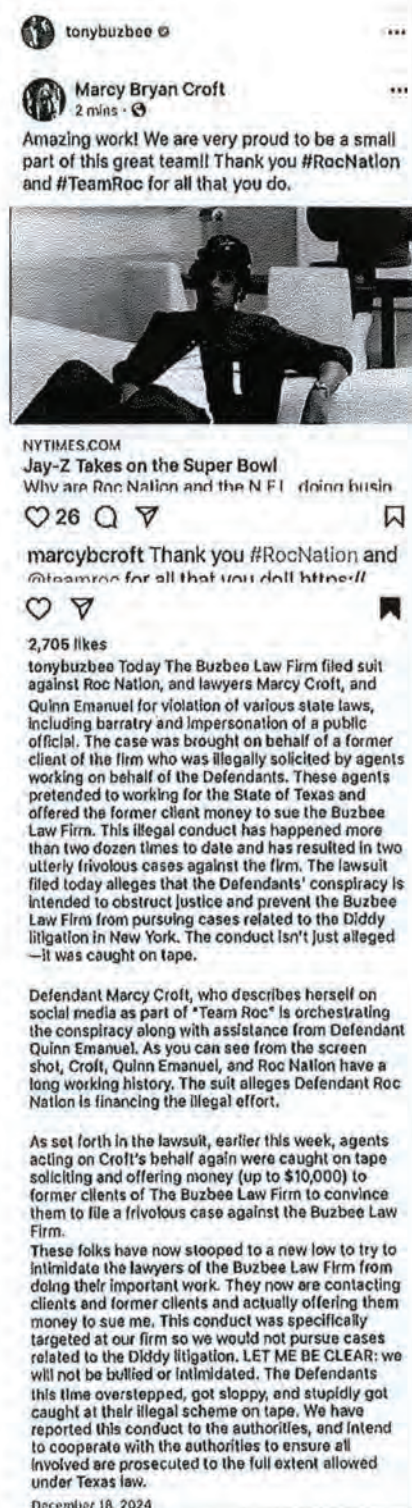
<sup>1</sup> See Ex. A at Exs. 10, 12. Maldonado provided limited paperwork for Ms. Croft's review. Listed in that paperwork was an additional, anomalous reference to "Hometown Clients Ex" on what appeared to be a financial document. There was also a form stamped with the name Dr. Rubin Bashir—a physician who repeatedly appears in public filings as an alleged treating physician and/or expert in cases filed by Buzbee and his firm. Although these irregularities raised concerns, Ms. Croft did not believe they were sufficient to bring a civil claim, so she did not refer Maldonado to other counsel. Defendants have been aware of these facts—which are not privileged—from the outset. *See Jackson Med. Clinic for Women, P.A. v. Moore*, 836 So. 2d 767, 773 (Miss. 2003) (explaining a client waives attorney-client privilege "when the contents of the legal advice is integral to the outcome of the legal claims of the action" and "[s]uch is the case when a party . . . specifically places at issue, in some [] manner, the attorney-client relationship"); *Smith v. Guerre*, 159 S.W. 417, 419–20 (Tex. Civ. App. Amarillo 1913, no writ) (explaining that "[t]he object of the rule ceases, and the attorney is no longer bound by his obligation of secrecy" when the client accuses the attorney "either directly or indirectly, with fraud or other improper or unprofessional conduct," at which point the attorney has "the right to make a full disclosure bearing upon the litigation").



26. Buzbee and his firm filed a rash of baseless civil barratry suits in Texas state court against Ms. Croft, accusing her of orchestrating an illegal conspiracy, engaging in criminal conduct, and bribing former Buzbee clients to bring frivolous lawsuits against him. The allegations in those suits are false.

27. But Buzbee couldn't resist going a step further, leaving behind any possible protections generally afforded to in-court statements to spread defamatory falsehoods across the internet.

28. On December 18, 2024—the same day he filed a baseless civil barratry lawsuit against Ms. Croft and the same day Maldonado abruptly terminated his relationship with her via email—Buzbee launched a coordinated attack on his personal Instagram account, where he has over 100,000 followers:



See Tony Buzbee (@tonybuzbee), INSTAGRAM (Dec. 18, 2024),  
<https://www.instagram.com/p/DDuRQQLpy5K/>.



29. In a calculated attempt to incite public outrage and destroy Ms. Croft's credibility, Buzbee's post to his *104,000 Instagram followers* is rife with defamatory and actionable falsehoods:

30. Buzbee falsely claimed that Ms. Croft had hired (fake) "agents" to illegally solicit clients—statements which are categorically false.

including barratry and impersonation of a public official. The case was brought on behalf of a former client of the firm who was illegally solicited by agents working on behalf of the Defendants. These agents pretended to working for the State of Texas and

31. And then Buzbee said that Ms. Croft's (fake) "agents" had misrepresented themselves as working for the State of Texas while engaging in barratry (a felony)—all purportedly on her behalf:

client of the firm who was illegally solicited by agent working on behalf of the Defendants. These agents pretended to working for the State of Texas and offered the former client money to sue the Buzbee Law Firm. This illegal conduct has happened more than two dozen times to date and has resulted in two

32. And yet again, later, he told his more than 100,000 Instagram followers that “agents” “*acting on Croft’s behalf*” offered former clients of Buzbee \$10,000 to file a frivolous case against him:

As set forth in the lawsuit, earlier this week, agents acting on Croft’s behalf again were caught on tape soliciting and offering money (up to \$10,000) to former clients of The Buzbee Law Firm to convince them to file a frivolous case against the Buzbee Law Firm.

These folks have now stepped to a new law to try to

33. Buzbee’s statements to his more than 100,000 Instagram followers, as set forth in paragraphs 30, 31, and 32, are all lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies to his followers, causing serious damage to Ms. Croft and her law firm.

34. Reeling from damaging exposure in highly public cases<sup>2</sup>, Buzbee doubled down on his lies, accusing Ms. Croft of *habitual* illegal activity:

offered the former client money to sue the Buzbee Law Firm. This illegal conduct has happened more than two dozen times to date and has resulted in two utterly frivolous cases against the firm. The lawsuit filed today alleges that the Defendant’s conspiracy is

<sup>2</sup> See *Thompson v. Buzbee, et al.*, No. 2:24-cv-02827 (E.D. La. filed Dec. 9, 2024); *Guidry v. Buzbee, et al.*, No. 2:24-cv-02873 (E.D. La. filed Dec. 13, 2024).



35. And he likewise accused Ms. Croft of a conspiracy to obstruct justice:

**utterly frivolous cases against the firm. The lawsuit filed today alleges that the Defendants' conspiracy is intended to obstruct justice and prevent the Buzbee Law Firm from pursuing cases related to the Diddy**

36. But Buzbee didn't stop there. He next said that Ms. Croft was "orchestrating" such an unlawful conspiracy:

**Defendant Marcy Croft, who describes herself on social media as part of "Team Roc" is orchestrating the conspiracy along with assistance from Defendant Quinn Emanuel. As you can see from the screen**

37. Buzbee's statements to his more than 100,000 Instagram followers, as set forth in paragraphs 34, 35, and 36, are also lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies to his followers, causing serious damage to Ms. Croft and her law firm.

38. Reaching even further, Buzbee charged Ms. Croft and others with "intimidat[ion]" tactics:

**These folks have now stooped to a new low to try to intimidate the lawyers of the Buzbee Law Firm from doing their important work. They now are contacting clients and former clients and actually offering them**

39. He repeated his prior falsehoods accusing Ms. Croft of barratry and intimidation:

**intimidate the lawyers of the Buzbee Law Firm from doing their important work. They now are contacting clients and former clients and actually offering them money to sue me. This conduct was specifically targeted at our firm so we would not pursue cases related to the Diddy litigation. LET ME BE CLEAR: we will not be bullied or intimidated. The Defendants this time overstepped, got sloppy, and stupidly got**

40. And lest his followers be left with any doubt, Buzbee closed his post by accusing Ms. Croft and others of an “overstepp[ing],” “sloppy,” “stupid[,]” and “illegal” “scheme”:

**will not be bullied or intimidated. The Defendants this time overstepped, got sloppy, and stupidly got caught at their illegal scheme on tape. We have reported this conduct to the authorities and intend**

41. Buzbee’s statements to his more than 100,000 Instagram followers, as set forth in paragraphs 38, 39, and 40—are further lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies to his followers, causing serious damage to Ms. Croft and her law firm.

42. The damage caused by Buzbee’s smear campaign was immediate and severe. Accusing a respected member of the bar of committing a felony, being “sloppy” and “stupid,” and orchestrating a conspiracy to obstruct justice was not only deliberate but also highly damaging. These reckless, baseless, and patently false allegations were designed to inflict maximum harm on Ms. Croft’s professional reputation and standing within the legal community.



Buzbee's Public Defamation Campaign Deepens – Facebook Edition

43. Buzbee's lies didn't stop when he logged out of Instagram. Rather, he continued his campaign through two December 18, 2024, posts on a second social media platform—Facebook—where he has thousands of followers.

44. One of Buzbee's Facebook posts copied verbatim from his Instagram post:



See Tony Buzbee, FACEBOOK (Dec. 18, 2024), <https://www.facebook.com/share/p/1A1DaTXPFC/>.

45. Buzbee posted a second time that same day, this time bolstering his prior defamatory and actionable statements with new ones:





See Tony Buzbee, FACEBOOK (Dec. 18, 2024), <https://www.facebook.com/share/p/1BSUANb1yH/>.

46. In this second Facebook post, Buzbee purports to “quote” from a “secret recording” between Ms. Croft’s supposed “agents” and a former Buzbee client—whom the “agents” supposedly offer cash in exchange for suing Buzbee:

tape soliciting and offering money (up to \$10,000) to former clients of the Buzbee Law Firm to convince them to file a frivolous case against the Buzbee Law Firm. In one of the secret recordings, the scheme is described in detail:

"What we're trying to do is, we are trying put this thing together for the company that we're working for--

We could get you paid, . . . you could get money right soon, you know?

We gave this kid 1,000 bucks to start yesterday just to get him on the right path.

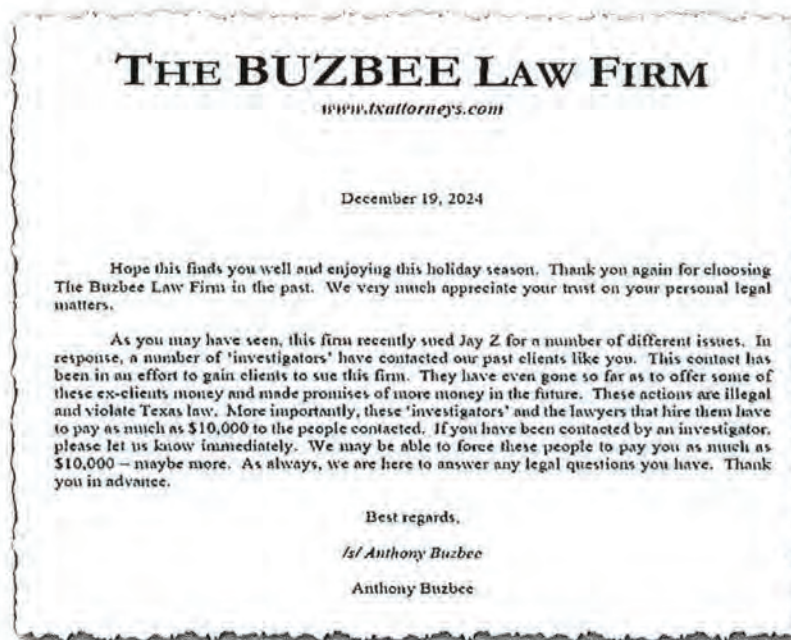
At the end of the day, this is going to go through the courts, Buzbee is getting sued . . ."

47. Like Buzbee’s statements before, paragraphs 45 and 46 are still lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies on Facebook, causing serious damage to Ms. Croft and her law firm.

*Buzbee’s Public Defamation Campaign Continues*

48. But Buzbee didn’t stop there. His defamation campaign continued, from the social media air waves to old fashioned snail mail.

49. On December 19, 2024, Buzbee and his law firm sent his former clients a letter defaming Ms. Croft—this time, on large firm letterhead:



50. In this letter, Buzbee repeated many of the same falsehoods he made on social media the day before.

51. Buzbee accused the “lawyers that hire” the “investigators”—presumably referring to Ms. Croft—of offering former clients up to \$10,000 in exchange for suing him:

As you may have seen, this firm recently sued Jay Z for a number of different issues. In response, a number of 'investigators' have contacted our past clients like you. This contact has been in an effort to gain clients to sue this firm. They have even gone so far as to offer some of these ex-clients money and made promises of more money in the future. These actions are illegal and violate Texas law. More importantly, these 'investigators' and the lawyers that hire them have to pay as much as \$10,000 to the people contacted. If you have been contacted by an investigator,

52. As with Buzbee’s prior statements, those in paragraph 51 are also false. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies publicly, causing serious damage to Ms. Croft and her law firm.



*Buzbee's Litigation Campaign Unfolds*

53. Buzbee and The Buzbee Law Firm filed three entirely baseless civil barratry lawsuits in Harris County, Texas, against Ms. Croft and others, all amidst Buzbee's own mounting legal problems as part of a public campaign of intimidation through litigation. He has filed multiple suits against Ms. Croft and others on behalf of former clients, including Maldonado, not in pursuit of justice, but as a deliberate effort to suppress additional legal actions from current and former personal injury clients. *See Garcia v. Croft, et al.*, No. 4:25-cv-00353 (filed Dec. 18, 2024 and removed to S.D. Tex. Jan. 28, 2025); *Maldonado v. Croft, et al.*, No. 4:25-cv-00345 (filed Jan. 3, 2025 and removed to S.D. Tex. Jan. 28, 2025); *The Buzbee Law Firm v. Quinn Emanuel, et al.*, No. 4:25-cv-00385 (filed Dec. 5, 2024, amended Jan. 27, 2025, and removed to S.D. Tex. Jan. 29, 2025). Ms. Croft, along with the other defendants, removed these lawsuits to federal court where they are pending at the time of this filing.

54. Each of these three lawsuits against Ms. Croft rests on invented facts and contrived allegations—demonstrating Buzbee's clear intent to weaponize the legal system against those who expose his misconduct.

55. The first, brought by Buzbee on behalf of a plaintiff named Gerardo Garcia, was the apparent basis of Buzbee's defamatory social media posts and letter. In the petition, Buzbee falsely accuses Ms. Croft of "engaging shadowy operatives to illegally seek out more than two dozen current and former clients of The Buzbee Law Firm to convince those clients to bring frivolous cases against The Buzbee Law Firm." *Garcia*, No. 4:25-cv-00353, Dkt. 1-2 at 2 (footnote omitted).

56. Buzbee brought a second lawsuit on January 3, 2025, on behalf of Defendant Jose Maldonado, meritlessly accusing Ms. Croft of the same activity: purportedly "engaging shadowy



operatives to illegally seek out more than two dozen current and former clients of The Buzbee Law Firm to convince those clients to bring frivolous cases against The Buzbee Law Firm.” *Maldonado*, No. 4:25-cv-00345, Dkt. 1-2 at 2 (footnote omitted).

57. And on January 27, 2025, Buzbee dragged Ms. Croft into a third case, amending a previously filed petition brought on his own firm’s behalf to name her as a defendant. The *Buzbee Law Firm* petition repeated the same false allegations as the pleadings that Buzbee filed before. *The Buzbee Law Firm*, No. 4:25-cv-00385, Dkt. 1-2 at 316.

58. In each lawsuit, Buzbee audaciously sued a fake person: “Jessica Santiago,” a purported private “investigator” from Harris County, Texas. On information and belief, no such person exists. There is no such person with that name living in Harris County, Texas—or anywhere in Texas, for that matter—who is registered as a private investigator. And Buzbee refused requests to provide an address or any other identifying details for her. Unsurprisingly, she has not been served.<sup>3</sup>

#### **COUNT I: ABUSE OF PROCESS AGAINST THE DEFENDANTS**

59. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

60. “[T]he three elements of abuse of process are: (1) the party made an illegal use of a legal process, (2) the party had an ulterior motive, and (3) damage resulted from the perverted use of process.” *Ayles ex rel. Allen v. Allen*, 907 So. 2d 300, 303 (Miss. 2005).

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<sup>3</sup> Similarly, listing Quinn Emanuel as a defendant was nothing more than an attempt to open a new front in Buzbee’s public battle with that firm and its client Jay-Z. Quinn Emanuel was improperly joined in the Harris County suits because there is not a single factual allegation tying the firm to the alleged claims. The petitions’ only specific references to Quinn Emanuel demonstrate why it was sued: the firm’s unrelated defense of Jay-Z in a separate matter involving another Buzbee client. That case has nothing to do with Buzbee’s former personal-injury clients.



61. Working in concert with Buzbee to file a knowingly false, vindictive lawsuit against Ms. Croft, Maldonado intentionally used a legal process to primarily accomplish the purpose of humiliating Ms. Croft and discouraging other former Buzbee clients from pursuing claims against Buzbee.

62. In each of the three lawsuits Buzbee and his firm filed against Ms. Croft, Buzbee joined a fake defendant purportedly named “Jessica Santiago.”

63. While the *Garcia* and *Maldonado* petitions note “Harris County, Texas” as “Jessica Santiago’s” place of residence, the later-filed *Buzbee Law Firm* petition does not list any residence at all. Compare *Garcia*, No. 4:25-cv-00353, Dkt. 1-2 at 9; *Maldonado*, No. 4:25-cv-00345, Dkt. 1-2 at 9; with *The Buzbee Law Firm*, No. 4:25-cv-00385, Dkt. 1-2 at 319.

64. Additionally, Buzbee has not amended the allegations in *Garcia* and *Maldonado* to exclude mention of Harris County as “Jessica Santiago’s” place of residence—or to remove her as a defendant—further indicating Buzbee has not identified her residence. The petitions provide no address or identifying details for “Santiago,” stating she can be served at her home address (unidentified) or “wherever she may be found.” See *Garcia*, No. 4:25-cv-00353, Dkt. 1-2 at 9; *Maldonado*, No. 4:25-cv-00345, Dkt. 1-2 at 9. The fact that “Santiago” has not been served highlights that she has not been found.

65. Defendants’ actions constitute a gross and willful abuse of process in that they maliciously and spitefully, with ulterior motive, abused the legal process of joinder by improperly joining a fake defendant to destroy diversity jurisdiction when they knew, or should have known, that “Jessica Santiago” was not a real person.

66. Defendants’ tortious conduct was used to accomplish the unjustified and unlawful purpose of illegally destroying diversity jurisdiction as an attempt to keep the lawsuits within the



purview of the state courts and for other ulterior reasons and motives. *See McLain v. West Side Bone & Joint Ctr.*, 656 So.2d 119, 123 (Miss. 1995) (stating that the “crucial element” of abuse of process is “the intent to abuse the privileges of the legal system”); *State ex rel. Foster v. Turner*, 319 So.2d 233, 236 (Miss. 1975) (“[T]he malicious abuse of process is the employment of a process in a manner not contemplated by law, or to obtain an object which such a process is not intended by law to effect.”).

67. Defendants’ acts constituted a willful, malicious, wanton, and reckless disregard for Plaintiff’s rights with the intent to harass, humiliate, and embarrass her all while threatening Buzbee’s former and current clients to deter them from bringing suit against him. Plaintiffs sustained damages as a result of Defendants’ perverted use of the legal process to serve unjust and ulterior ends.

## **COUNT II: DEFAMATION AGAINST BUZBEE**

68. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

69. “To establish a claim for defamation, an ordinary plaintiff must show the following: (1) a false and defamatory statement concerning the plaintiff; (2) an unprivileged publication to a third party; (3) fault amounting at least to negligence on the part of the publisher; and (4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication.” *Journal Pub. Co. v. McCullough*, 743 So.2d 352, 359 (Miss. 1999).

70. As set forth above, on December 18, 2024, Buzbee knowingly and willfully made multiple false statements about Plaintiff.

71. Buzbee published those knowingly and willfully false statements by posting them on his personal Instagram and Facebook accounts to hundreds of thousands of followers.



72. The false statements, which accuse Ms. Croft of engaging in illegal conduct, were clearly defamatory, in that they expose Plaintiff to public ridicule and lower her in the confidence of her community.

73. Upon information and belief, Ms. Croft has suffered special harm as a result of the false statements.

74. Buzbee's actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages for Plaintiff's harm.

**COUNT III: DEFAMATION PER SE AGAINST BUZBEE**

75. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

76. An action for defamation per se exists for words "imputing to [the plaintiff] 'a want of integrity or capacity . . . in the conduct of [her] profession, trade or business[.]'" *Fagan v. Faulkner*, 396 So. 3d 1112, 1117 (Miss. 2024) (quoting *Brothers v. Winstead*, 129 So. 3d 906, 928 (Miss. 2014)).

77. As set forth above, on December 18, 2024, Buzbee knowingly and willfully made multiple false statements about Plaintiff.

78. Buzbee published those knowingly and willfully false statements by posting them on his personal Instagram and Facebook accounts to hundreds of thousands of followers.

79. The statements were clearly defamatory, in that they expose Plaintiff to public ridicule and lower her in the confidence of her community, including Hinds County, Mississippi, and are actionable *per se* in accusing Ms. Croft of illegal conduct, which is inherently damaging to her reputation as a lawyer, as well as a respected citizen in the local community.



80. Buzbee's actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages. *See Natchez Times Pub. Co. v. Dunigan*, 72 So. 2d 681, 684 (Miss. 1954) (“[I]f an article is libelous per se, no special damages are necessary to be alleged or proved. The law presumes damage per se from the writing of the libelous words.”). Buzbee's false and defamatory statements are not subject to the protections of any federal or state privilege.

**COUNT IV: FALSE LIGHT INVASION OF PRIVACY AGAINST DEFENDANTS**

81. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

82. To recover on a claim for false light invasion of privacy, a plaintiff must demonstrate “(a) the false light in which the other was placed would be highly offensive to a reasonable person, and (b) the actor had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which the other would be placed,” *Hays v. LaForge*, 333 So.3d 595, 608 (Miss. Ct. App. 2022).

83. As a private citizen, Ms. Croft has an actual and reasonable expectation of privacy with respect to all Defendants. This expectation extends to all false and misleading statements made about her in litigation filings and on social media, including but not limited to Instagram and Facebook posts, public statements, and court pleadings—all of which would be highly offensive to a reasonable person. Defendants' statements, made knowingly or with reckless disregard for the truth, were intended to cast Plaintiff in a false light and cause harm to her reputation and standing in both her personal and professional life.

84. Defendants' actions were willful, malicious, and committed knowingly or with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages.



**COUNT V: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST DEFENDANTS**

85. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

86. The afore-stated facts were outrageous and done intentionally and wantonly by Defendants through their willful and unlawful acts.

87. It was foreseeable to Defendants that their reckless disregard for the truth of their statements would cause Plaintiff severe emotional distress.

88. As a direct and proximate consequence of Defendants' intentional actions, Plaintiff has suffered and will continue to suffer significant insult, indignity, humiliation, embarrassment and severe physical anguish and emotional distress.

89. Defendants' actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages.

**COUNT VI: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST DEFENDANTS**

90. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

91. The facts stated herein were alternatively done carelessly and negligently by Buzbee through his willful, unlawful, and reckless acts.

92. Defendants knew or should have known that their reckless disregard for the truth of their statements would cause Ms. Croft severe emotional distress.

93. As a direct and proximate consequence of Defendants' negligent actions, Plaintiff has suffered and will continue to suffer significant insult, indignity, humiliation, embarrassment and severe physical anguish and emotional distress.



**COUNT VII: CIVIL CONSPIRACY AGAINST DEFENDANTS**

94. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

95. Defendants Buzbee, The Buzbee Law Firm, and Maldonado knowingly and willfully engaged in a concerted effort to defame, discredit, and harm Ms. Croft by spreading false and defamatory statements through both litigation and social media.

96. Defendants, acting in concert and with a common purpose, conspired to fabricate false allegations against Ms. Croft, including but not limited to false claims of criminal misconduct, professional impropriety, and unethical behavior, with the intent to destroy her personal and professional reputation.

97. In furtherance of this conspiracy, Defendants coordinated their actions to file baseless lawsuits, disseminate false information through social media, and use legal proceedings as a weapon to intimidate and silence Ms. Croft.

98. As a direct and proximate result of Defendants' conspiracy, Ms. Croft has suffered significant harm, including reputational damage, emotional distress, and impairment to her professional standing.

99. Defendants' actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages. There is clear and convincing evidence of actual malice, fraud, or gross negligence warranting the imposition of punitive damages under Section 11-1-65 of the Mississippi Code.

**DAMAGES**

100. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.



101. As a result of Defendants' conduct as alleged herein, Plaintiff sustained injuries and incurred substantial damages including, but not limited to the following compensatory damages in the amount of at least \$25,000,000:

- a. Past, present, and future mental and emotional distress;
- b. Damages per se arising from defamation per se;
- c. Loss of wage-earning capacity; and
- d. Loss of personal and professional reputation, as well as public embarrassment.

102. Clear and convincing evidence establishes that Defendants acted with actual malice, fraud, or gross negligence warranting the imposition of punitive damages under Mississippi Code § 11-1-65 in an amount to be determined by the jury.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Marcy Croft demands trial by jury and respectfully requests that judgment be entered against Defendants Anthony Buzbee, Anthony G. Buzbee, L.P. d/b/a The Buzbee Law Firm, and Jose Maldonado for compensatory and consequential damages as shown by the evidence in an amount not less than \$25,000,000, pre-interest on the judgment, post-interest on the judgment, punitive damages, attorney's fees, all costs, fees, and disbursements, and such other relief under the laws of the State of Mississippi or of any kind to which Plaintiff is otherwise entitled.

Dated: March 5, 2025

Respectfully submitted,



Ronnie Musgrove (MS Bar No. 3698)  
Quentin Whitwell (MS Bar No. 10859)  
Chelsea Boyd (MS Bar No. 106731)  
MUSGROVE WHITWELL  
265 N. Lamar, Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Musgrove@musgrovewhitwell.com  
Whitwell@musgrovewhitwell.com  
Boyd@musgrovewhitwell.com

*Attorneys for Plaintiff Marcy Croft*



COVER SHEET

Case Identification Number

Filed 03/05/2025

Page Number

## Civil Case Filing Form

(To be completed by Attorney/Party  
Prior to Filing of Pleading)

25	1	01
County #	Judicial District	Court ID (CH, CI, CO)
03	05	05
Month	Date	Year

2025

1	7	7
Local Docket ID		

Mississippi Supreme Court  
Administrative Office of Courts  
Form AOC/D1  
(Rev 2020)

This area to be completed by clerk

Case Number if filed prior to 1/1/94

In the CIRCUIT

Court of HINDS

County —

FIRST

Judicial District

## Origin of Suit (Place an "X" in one box only)

- ☒ Initial Filing    ☐ Reinstated    ☐ Foreign Judgment Enrolled    ☐ Transfer from Other court    ☐ Other  
☐ Remanded    ☐ Reopened    ☐ Joining Suit/Action    ☐ Appeal

## Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form

Individual Croft

Marcy

Last Name

First Name

Maiden Name, if applicable

M.I.

Jr/Sr/III/IV

Check ( x ) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:  
Estate of \_\_\_\_\_Check ( x ) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:  
D/B/A or Agency \_\_\_\_\_

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check ( x ) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:  
D/B/A \_\_\_\_\_

Address of Plaintiff 116 Stone Lake Drive, Madison, MS 39110

Attorney (Name &amp; Address) Ronnie Musgrove, 265 N. Lamar, Ste C, Oxford MS 38655

MS Bar No. 3698

Check ( x ) if Individual Filing Initial Pleading is NOT an attorney

Signature of Individual Filing:

*Ronnie Musgrove*

## Defendant - Name of Defendant - Enter Additional Defendants on Separate Form

Individual Buzbee

Anthony

Last Name

First Name

Maiden Name, if applicable

G

M.I.

Jr/Sr/III/IV

Check ( x ) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:  
Estate of \_\_\_\_\_Check ( x ) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:  
D/B/A or Agency \_\_\_\_\_

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check ( x ) if Business Defendant is acting in the name of an entity other than the above, and enter below:  
D/B/A \_\_\_\_\_

Attorney (Name &amp; Address) - If Known

MS Bar No.

Check ( x ) if child support is contemplated as an issue in this suit.\*

\*If checked, please submit completed Child Support Information Sheet with this Cover Sheet

## Nature of Suit (Place an "X" in one box only)

## Domestic Relations

- ☐ Child Custody/Visitation  
☐ Child Support  
☐ Contempt  
☐ Divorce: Fault  
☐ Divorce: Irreconcilable Diff.  
☐ Domestic Abuse  
☐ Emancipation  
☐ Modification  
☐ Paternity  
☐ Property Division  
☐ Separate Maintenance  
☐ Term. of Parental Rights-Chancery  
☐ UIFSA (eff 7/1/97; formerly URESA)  
☐ Other \_\_\_\_\_

## Appeals

- ☐ Administrative Agency  
☐ County Court  
☐ Hardship Petition (Driver License)  
☐ Justice Court  
☐ MS Dept Employment Security  
☐ Municipal Court  
☐ Other \_\_\_\_\_

## Business/Commercial

- ☐ Accounting (Business)  
☐ Business Dissolution  
☐ Debt Collection  
☐ Employment  
☐ Foreign Judgment  
☐ Garnishment  
☐ Replevin  
☐ Other \_\_\_\_\_

## Probate

- ☐ Accounting (Probate)  
☐ Birth Certificate Correction  
☐ Mental Health Commitment  
☐ Conservatorship  
☐ Guardianship  
☐ Joint Conservatorship & Guardianship  
☐ Heirship  
☐ Intestate Estate  
☐ Minor's Settlement  
☐ Muniment of Title  
☐ Name Change  
☐ Testate Estate  
☐ Will Contest  
☐ Alcohol/Drug Commitment (voluntary)

- ☐ Alcohol/Drug Commitment (voluntary)  
☐ Other \_\_\_\_\_

## Children/Minors - Non-Domestic

- ☐ Adoption - Contested  
☐ Adoption - Uncontested  
☐ Consent to Abortion  
☐ Minor Removal of Minority  
☐ Other \_\_\_\_\_

## Civil Rights

- ☐ Elections  
☐ Expungement  
☐ Habeas Corpus  
☐ Post Conviction Relief/Prisoner  
☐ Other \_\_\_\_\_

## Contract

- ☐ Breach of Contract  
☐ Installment Contract  
☐ Insurance  
☐ Specific Performance  
☐ Other \_\_\_\_\_

## Statutes/Rules

- ☐ Bond Validation  
☐ Civil Forfeiture  
☐ Declaratory Judgment  
☐ Injunction or Restraining Order  
☐ Other \_\_\_\_\_

## Real Property

- ☐ Adverse Possession  
☐ Ejectment  
☐ Eminent Domain  
☐ Eviction  
☐ Judicial Foreclosure  
☐ Lien Assertion  
☐ Partition  
☐ Tax Sale: Confirm/Cancel  
☐ Title Boundary or Easement  
☐ Other \_\_\_\_\_

## Torts

- ☐ Bad Faith  
☐ Fraud  
☐ Intentional Tort  
☐ Loss of Consortium  
☐ Malpractice - Legal  
☐ Malpractice - Medical  
☐ Mass Tort  
☐ Negligence - General  
☐ Negligence - Motor Vehicle  
☐ Premises Liability  
☐ Product Liability  
☐ Subrogation  
☐ Wrongful Death  
☒ Other Defamation



IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT, CITY OF \_\_\_\_\_

Docket No. \_\_\_\_\_ Docket No. If Filed  
File Yr Chronological No. Clerk's Local ID Prior to 1/1/94 \_\_\_\_\_

DEFENDANTS IN REFERENCED CAUSE - Page 1 of 1 Defendants Pages  
IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Defendant #2:

Individual: \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

Business Anthony G. Buzbee, L.P.  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

✓ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A The Buzbee Law Firm

ATTORNEY FOR THIS DEFENDANT: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) Not an Attorney(✓) \_\_\_\_\_

Defendant #3:

Individual: Maldonado Jose gQg  
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

Business \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS DEFENDANT: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) Not an Attorney(✓) \_\_\_\_\_

Defendant #4:

Individual: \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

Business \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS DEFENDANT: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) Not an Attorney(✓) \_\_\_\_\_



IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

CAUSE NO

25-177

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF HINDS

TO: PETER TAAFFE, Registered Agent  
600 Travis St, Ste. 7300  
Houston, Texas 77002  
ATTN: ANTHONY G. BUZBEE, L.P. d/b/a THE BUZBEE LAW FIRM

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT  
AND ANTHONY G. BUZBEE, L.P., MUST TAKE IMMEDIATE ACTION TO PROTECT  
ITS RIGHTS.

Anthony G. Buzbee, L.P., is required to mail or hand deliver a copy of a written response  
to the Complaint to **Ronnie Musgrove**, Attorney for the Plaintiff, whose address is **Musgrove  
Whitwell, 265 N. Lamar Suite C, Oxford, MS 38655**. Its response must be mailed or  
delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a  
judgment by default will be entered against it for the money or other things demanded in the  
Complaint.

Anthony G. Buzbee, L.P., must also file the original of its response with the Clerk of this  
Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 5th day of  
March, 2025.

ZACK WALLACE, CIRCUIT CLERK  
CIRCUIT CLERK OF HINDS COUNTY, MISSISSIPPI

By: [Signature]



Presented By:

/s/ Ronnie Musgrove

Ronnie Musgrove

MUSGROVE WHITWELL

265 N. Lamar Suite C

Oxford, MS 38655

Telephone: (662) 273-8424

Email: Musgrove @musgrovewhitwell.com

*Attorney for Plaintiff*



**PROOF OF SERVICE—SUMMONS**

(Process Server)

**NAME OF PERSON OR ENTITY SERVED:** \_\_\_\_\_

I, the undersigned process server, served the Summons and Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

☐ **FIRST CLASS MAIL AND ACKNOWLEDGEMENT SERVICE.** By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgement and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

☐ **PERSONAL SERVICE:** I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, where I found him/her in \_\_\_\_\_ County, State of \_\_\_\_\_.

☐ **RESIDENCE SERVICE:** After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ County, State of \_\_\_\_\_. I served the Summons and Complaint on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at the usual place of abode of the said person by leaving a true copy with \_\_\_\_\_, who is the \_\_\_\_\_ (wife, husband, son, daughter or other person as the case may be) of said individual and a member of his/her family over the age of sixteen (16) years who was willing to receive the same on his/her behalf. I mailed, by first class mail, postage prepaid, copies to the person at his/her usual place of abode where the copies were left.

☐ **CERTIFIED MAIL SERVICE:** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service, I was at least eighteen (18) years of age and not a party to this action.

Fee for service: \$ \_\_\_\_\_

Process server must list below: [Please print or type]

Name: \_\_\_\_\_

Social Security No. \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service—Summons" are true and correct as therein stated.

\_\_\_\_\_  
Process Server's Signature

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal) My Commission Expires:



IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

CAUSE NO 25-177

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF HINDS

TO: ANTHONY G. BUZBEE  
1722 River Oaks Blvd.  
Houston, Texas 77019

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT  
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand deliver a copy of a written response to the Complaint to **Ronnie Musgrove**, Attorney for the Plaintiff, whose address is **Musgrove Whitwell, 265 N. Lamar Suite C, Oxford, MS 38655**. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 5th day of March, 2025.

ZACK WALLACE, CIRCUIT CLERK

CIRCUIT CLERK OF HINDS COUNTY, MISSISSIPPI

By: [Signature]



Presented By:

/s/ Ronnie Musgrove

Ronnie Musgrove

MUSGROVE WHITWELL

265 N. Lamar Suite C

Oxford, MS 38655

Telephone: (662) 273-8424

Email: Musgrove @musgrovewhitwell.com

*Attorney for Plaintiff*



**PROOF OF SERVICE—SUMMONS**  
(Process Server)

**NAME OF PERSON OR ENTITY SERVED:** \_\_\_\_\_

I, the undersigned process server, served the Summons and Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

☐ **FIRST CLASS MAIL AND ACKNOWLEDGEMENT SERVICE.** By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgement and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

☐ **PERSONAL SERVICE:** I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, where I found him/her in \_\_\_\_\_ County, State of \_\_\_\_\_.

☐ **RESIDENCE SERVICE:** After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ County, State of \_\_\_\_\_. I served the Summons and Complaint on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the usual place of abode of the said person by leaving a true copy with \_\_\_\_\_, who is the \_\_\_\_\_ (wife, husband, son, daughter or other person as the case may be) of said individual and a member of his/her family over the age of sixteen (16) years who was willing to receive the same on his/her behalf. I mailed, by first class mail, postage prepaid, copies to the person at his/her usual place of abode where the copies were left.

☐ **CERTIFIED MAIL SERVICE:** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service, I was at least eighteen (18) years of age and not a party to this action.

Fee for service: \$ \_\_\_\_\_

Process server must list below: [Please print or type]

Name: \_\_\_\_\_

Social Security No. \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service—Summons" are true and correct as therein stated.

\_\_\_\_\_  
Process Server's Signature

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal) My Commission Expires:



IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

CAUSE NO

25-177

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF HINDS

TO: JOSE MALDONADO  
2209 Mulberry Lane  
Pasadena, TX 77502

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT  
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand deliver a copy of a written response to the Complaint to **Ronnie Musgrove**, Attorney for the Plaintiff, whose address is **Musgrove Whitwell, 265 N. Lamar Suite C, Oxford, MS 38655**. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 5th day of March, 2025.

ZACK WALLACE, CIRCUIT CLERK

CIRCUIT CLERK OF HINDS COUNTY, MISSISSIPPI

By: [Signature]



Presented By:

/s/ Ronnie Musgrove

Ronnie Musgrove

MUSGROVE WHITWELL

265 N. Lamar Suite C

Oxford, MS 38655

Telephone: (662) 273-8424

Email: Musgrove@musgrovewhitwell.com

*Attorney for Plaintiff*



**PROOF OF SERVICE—SUMMONS**  
(Process Server)

**NAME OF PERSON OR ENTITY SERVED:** \_\_\_\_\_

I, the undersigned process server, served the Summons and Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

☐ **FIRST CLASS MAIL AND ACKNOWLEDGEMENT SERVICE.** By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgement and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

☐ **PERSONAL SERVICE:** I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, where I found him/her in \_\_\_\_\_ County, State of \_\_\_\_\_.

☐ **RESIDENCE SERVICE:** After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ County, State of \_\_\_\_\_. I served the Summons and Complaint on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at the usual place of abode of the said person by leaving a true copy with \_\_\_\_\_, who is the \_\_\_\_\_ (wife, husband, son, daughter or other person as the case may be) of said individual and a member of his/her family over the age of sixteen (16) years who was willing to receive the same on his/her behalf. I mailed, by first class mail, postage prepaid, copies to the person at his/her usual place of abode where the copies were left.

☐ **CERTIFIED MAIL SERVICE:** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service, I was at least eighteen (18) years of age and not a party to this action.

Fee for service: \$ \_\_\_\_\_

Process server must list below: [Please print or type]

Name: \_\_\_\_\_  
Social Security No. \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone No. \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service—Summons" are true and correct as therein stated.

\_\_\_\_\_  
Process Server's Signature

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal) My Commission Expires:



**CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**MARCY CROFT**

**PLAINTIFF**

**VS.**

**Case No. 25CI1:25-cv-00177-WLK**

**ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO**

**DEFENDANTS**

**AMENDED COMPLAINT**

***JURY TRIAL DEMANDED***

COMES NOW Plaintiff, MARCY CROFT, by and through undersigned attorneys, and sues Defendants, ANTHONY G. BUZBEE ("Buzbee"), ANTHONY G. BUZBEE, L.P. D/B/A THE BUZBEE LAW FIRM ("The Buzbee Law Firm"), and JOSE MALDONADO ("Maldonado"), and in support thereof states as follows:

**INTRODUCTION**

1. This lawsuit is about exposing a fraud, dismantling a smear campaign, and holding the Defendants accountable for their deliberate and malicious lies. Defendant Anthony G. Buzbee—a lawyer who thrives on intimidation, spectacle, and self-promotion—has embarked on a calculated scheme to destroy the reputation of Plaintiff Marcy Croft, a widely respected attorney with a nearly thirty-year career built on skill, ethics, and integrity. Working together, Buzbee and Jose Maldonado—a recipient of Ms. Croft's pro bono services—have exploited the generosity of Ms. Croft in a desperate attempt to silence her, and former and current Buzbee clients. Knowing he cannot challenge Ms. Croft on the merits, Buzbee has resorted to fabrications, falsely accusing her of committing multiple felonies and spreading false and defamatory statements designed to damage her professional standing and personal credibility.

2. To be clear, Buzbee's campaign is not the work of a principled advocate; it is the desperate flailing of a man whose own legal troubles have made him reckless in his attempts to deflect scrutiny. Buzbee and his law firm have manipulated the legal system, peddled false narratives, and sought to weaponize his platform to tarnish Ms. Croft's name. But truth matters. Integrity matters. And Buzbee's actions—his repeated lies—have consequences. This lawsuit is not just about restoring Ms. Croft's reputation; it is about making clear that no one, no matter how loud or powerful they believe themselves to be, is above the law.

### PARTIES

3. Plaintiff Marcy Croft is an adult resident citizen of Madison County, Mississippi, who conducts regular business through her law firm in Hinds County, Mississippi. Defendant Anthony G. Buzbee is an adult resident of the State of Texas, residing at 1722 River Oaks Blvd., Houston, Texas 77019, and may be served with process at that address or at any other location authorized by the Mississippi Rules of Civil Procedure. Defendant Anthony G. Buzbee, L.P. d/b/a The Buzbee Law Firm is a limited partnership with Buzbee as owner and limited partner, and Services by AGB, L.L.C. as president and general partner. Anthony Buzbee is the president, manager, and sole member of Services by AGB, L.L.C. The Buzbee Law Firm is located at 600 Travis Street, Suite 7500, Houston, Texas 77002, and may be served with process upon Peter Taaffe at 600 Travis Street, Suite 7300, Houston, TX 770002, or any other agent authorized by the Mississippi Rules of Civil Procedure. Defendant Jose Maldonado is an adult resident of the State of Texas, residing at 2209 Mulberry Lane, Pasadena, Texas 77502, and may be served with process at that address or at any location authorized by the Mississippi Rules of Civil Procedure.



### JURISDICTION AND VENUE

4. This Court has subject matter and personal jurisdiction over the claims, causes of action, and the Defendants in these proceedings because, among other things, Defendants intentionally targeted tortious acts into Mississippi and the harmful effects of those acts were felt here. Miss. Code Ann. § 13-3-57.

5. Venue is proper in Hinds County, Mississippi, as it is where a substantial event that caused the injury and the injury itself occurred. Miss. Code Ann. § 11-11-3.

### FACTS

6. This lawsuit arises from a deliberate and malicious campaign of defamation and legal intimidation against Plaintiff Marcy Croft. Defendants Anthony G. Buzbee, The Buzbee Law Firm, and Jose Maldonado, acting in concert, have engaged in a calculated effort to destroy Ms. Croft's personal and professional reputation through dissemination of falsehoods, misrepresentations, and baseless claims of conspiracy, intimidation, and criminal activity—all the while it is *they* who engage in such tactics. *See infra* ¶¶ 12–58.

#### *Ms. Croft's Legal Practice*

7. Ms. Croft has been a well-respected member of the Mississippi State Bar for nearly three decades, recognized for her integrity, advocacy, and exceptional legal acumen. Throughout her distinguished career, she has been guided by one key principle: seeking civil and criminal justice for all.

8. An experienced trial lawyer, Ms. Croft has successfully represented Fortune 500 companies in complex mass tort litigation, uncovered fraudulent legal schemes that resulted in the dismissal of tens of thousands of claims, and played a critical role in exposing unethical practices in litigation throughout the nation. Beyond high-stakes corporate litigation, she has devoted

significant *pro bono* efforts to criminal justice reform, advocating for incarcerated individuals within the Mississippi Department of Corrections. Ms. Croft was the lead litigator in exposing the inhumane conditions at the Mississippi State Penitentiary at Parchman, proudly working alongside Team Roc, the philanthropic arm of entertainment company Roc Nation, to improve conditions that were causing injury, illness, and death at what was recognized at the time as the country's worst and most dangerous prison in a remote corner of the Mississippi Delta. That advocacy led to an investigation by the Department of Justice and a broader movement to reform prison conditions in Mississippi, making all its citizens safer.

9. Ms. Croft's clients regard her as an honest, fair, and diligent advocate. She is known for taking on tough opponents and standing firm in the face of adversity and intimidation. Throughout her career, she has demonstrated that she does not back down from a challenge, earning a reputation as a formidable advocate who fights tirelessly for justice. Respected by bench and bar alike, Ms. Croft has received numerous peer-nominated awards, honoring her professionalism, excellence, and commitment to the rule of law, including recognition in *Benchmark Litigation's* inaugural "Top 250 Female Litigators in America" list. She has been consistently recognized over the years by *Super Lawyers* and *Best Lawyers in America*, is a member of the Pro Bono College of the State Bar of Texas, and maintains an AV Preeminent rating with Martindale-Hubbell. Additionally, she has chaired national conferences on fraud and abuse in litigation, served as a lecturer at national legal seminars, and served in liaison counsel roles in federal multi-district litigation proceedings. As a recognized leader in fraud detection and litigation strategy, she has advised on high-stakes crisis management matters and successfully represented clients in some of the nation's largest and most complex legal disputes.



10. Indeed, it was Ms. Croft's excellent reputation that enabled her to strike out on her own, co-founding her firm, MJ Legal, P.A. in Jackson, Mississippi, four years ago.

11. Unfortunately, Ms. Croft's closely guarded reputation has suffered and will continue to suffer harm due to Defendants' coordinated effort to spread falsehoods and damage her professional standing.

*Maldonado Appears to Engage Plaintiff As Part of Deliberate Buzbee Scheme*

12. On December 17, 2024, Jose Maldonado contacted Ms. Croft in Mississippi, ostensibly to ask for her help and guidance. As far as Ms. Croft knew, Maldonado contacted her because he believed his former lawyer had exploited him. That lawyer was Buzbee.

13. As she has done for countless people in need, Ms. Croft agreed to help Maldonado and offered to provide a free case assessment. This was standard practice for Ms. Croft, who routinely reviews legal issues on a *pro bono* basis, advises on the viability of claims, and then refers individuals for legal representation when appropriate. Maldonado was no different.

14. After dedicating time and expertise to reviewing Maldonado's claims, on December 19, 2024, Ms. Croft spoke with Maldonado again. She informed him that, while she believed he had likely been the victim of a fraudulent scheme perpetrated by his former counsel, she did not believe that he had a viable civil case based *inter alia* on the limited set of documents he provided. That call occurred while Ms. Croft was in Mississippi. This call was the last time Ms. Croft spoke with Maldonado.

15. On December 21, 2024, Ms. Croft discovered an email Maldonado had sent her firm on December 18, 2024, stating that her services were no longer needed. Strangely, Maldonado failed to mention this during their December 19 phone call, raising concerns about his intentions. At that point, Ms. Croft ceased all work related to Maldonado.

16. But Maldonado's work to engage with Ms. Croft wasn't done. Despite his December 18 email, Maldonado reached out to Ms. Croft in Mississippi again on December 23, 2024, stating that he had seemingly found the rest of the paperwork for his case. Ms. Croft did not respond, reasonably relying on his email. Soon after, Ms. Croft learned that Maldonado had partnered with Buzbee and his law firm at or around the same time Ms. Croft had been providing legal advice to Maldonado. The very lawyer Maldonado had initially sought legal advice to bring claims against was actually his ally, and on information and belief part of a coordinated attempt to entrap Ms. Croft.

17. Upon information and belief, what initially appeared to be a genuine request for legal assistance to Ms. Croft in Mississippi was ultimately weaponized against Ms. Croft, raising serious doubts about Maldonado's true intentions and suggesting his actions were part of a deliberate scheme from the outset.

#### Uncovering Buzbee's Corruption

18. This partnership between Buzbee and Maldonado becomes even more troubling in light of the financial irregularities Ms. Croft uncovered while assessing Maldonado's claims. During her brief involvement with Maldonado, Ms. Croft discovered alarming details regarding a case involving the Buzbee Law Firm's financial practices: *Guadalupe Garza v. Callan Marine, LTD*, No. 2020CCV-61002-3 (Nueces Co. Ct. at Law No. 3, filed July 17, 2020) [hereinafter "*Garza*"]. This case involved allegations of unpaid, insufficient, or delayed maintenance payments to one of Buzbee's former clients. Maldonado's name appeared in a motion to compel filed in that case. *See* Ex. A (Resp. to Mot. to Quash Texas Access to Justice Subpoena or, Alternatively, Issue a Protective Order and Mot. to Compel, filed in *Garza* on Sept. 12, 2022) at 4, Exs. 10, 12.



19. In that motion, a maritime defendant, Callan Marine, sought a subpoena to investigate The Buzbee Law Firm's numerous bank accounts, including certain accounts at HomeTown Bank in Galveston, Texas. Callan Marine discovered that the Buzbee Law Firm told clients that Callan Marine had failed to make necessary maintenance and cure payments. Callan Marine asserted that, contrary to these false allegations of non-payment, it had "consistently honored" its financial obligations by sending maintenance checks to plaintiff's counsel, "trust[ing] that The Buzbee Law Firm [would] forward [the] check[s]" to its client. Ex. A at 1, 2, Ex. 6. Unfortunately, that trust was misplaced as, according to the court filing, those checks never reached their intended recipients.

20. Callan Marine alleged that The Buzbee Law Firm electronically deposited client maintenance checks into its own bank accounts at HomeTown Bank. Ex. A at 3, 4, Exs. 7, 10, 11, 12. As part of its subpoena request, Callan Marine sought to determine whether these accounts were originally designated as business operations accounts or official IOLTA trust accounts. It specifically inquired about how these accounts were classified and when, if ever, they were formally designated as trust accounts. The unclear status of these accounts raised significant concerns about whether client funds were improperly commingled or misused. Ex. A at 4, Ex. 9.

21. The motion further revealed that these transactions were not isolated incidents. Callan Marine noted that the relevant bank account was just "one of multiple accounts into which similar funds [had] been transferred." Ex. A at 4. The motion cited multiple deposits, including two instances in which checks made out to Jose Maldonado had been "electronically deposited by The Buzbee Law Firm." *Id.*

THE FOLLOWING IS A SUMMARY OF THE INFORMATION CONTAINED ON THE FRONT AND BACK OF THE CHECK.

**H&H Claims Consultants**  
FBO Jose Maldonado  
40 Cypress Creek Pkwy #435  
Houston, TX 77060-3550  
281-550-9998

Property Bank  
1815 FM 1960 East  
Houston, TX 77073-2508  
281-443-1800

1004

DATE 7/2/2020

01 22147 5131 43

PAY TO THE ORDER OF JOSE MALDONADO \$ 525.00

Five Hundred Twenty-Five Only \*\*\*\*\* DOLLARS

MEMO MAINTENANCE 7/2/2020 (FOUNDER PROTEST)

1131226554 08 5283 514 1004

ANTHONY G BUZBEE (P) REMOTE DEPOSIT 07/15/2020 11:13:58

By Joe Maldonado  
Buzbee Law Firm  
For Depository 6000398

THE FOLLOWING IS A SUMMARY OF THE INFORMATION CONTAINED ON THE FRONT AND BACK OF THE CHECK.

**H&H Claims Consultants**  
FBO Jose Maldonado  
40 Cypress Creek Pkwy #435  
Houston, TX 77060-3550  
281-550-9998

Property Bank  
1815 FM 1960 East  
Houston, TX 77073-2508  
281-443-1800

1001

DATE 6/10/2020

01 22147 5131 41

PAY TO THE ORDER OF JOSE MALDONADO \$ 2,450.00

Two Thousand Four Hundred Fifty Only \*\*\*\*\* DOLLARS

MEMO 13442  
MAINTENANCE 6/23/2020 (FOUNDER PROTEST)

1131226554 08 5283 514 1001

ANTHONY G BUZBEE (P) REMOTE DEPOSIT 06/15/2020 09:18:58

By Joe Maldonado  
Buzbee Law Firm  
For Depository 6000398

Ex. A at Exs. 10, 12.

22. Given that Callan Marine's checks had been sent to The Buzbee Law Firm but never reached the clients, the central question became: "where did the money go?" Ex. A at 7.



23. When Ms. Croft spoke with Maldonado, he, too, had the same question regarding his Callan Marine checks—where did his money go? Maldonado told Ms. Croft that was not his signature and that he did not authorize Buzbee or his firm to sign his name and deposit those checks into account numbers 6000398 or 68853 at HomeTown Bank, N.A. or any other bank on the dates in question.<sup>1</sup>

24. Buzbee's other former clients appear to be asking the same question. Recently, Buzbee has been sued by two former clients for breaches of fiduciary duty related to the mishandling of settlement funds. *See Thompson v. Buzbee, et al.*, No. 2:24-cv-02827 (E.D. La. filed Dec. 9, 2024); *Guidry v. Buzbee, et al.*, No. 2:24-cv-02873 (E.D. La. filed Dec. 13, 2024). The allegations contained in those lawsuits expose exceptionally unethical practices. And another suit—whether from Maldonado or any of Buzbee's former clients questioning his firm's handling of loans to clients and the financing of medical expenses—could have further exposed Buzbee. *See id.* This explains why he sought to undermine Ms. Croft before more of his actions came to light.

*Buzbee's Defamation Campaign Begins – Instagram Edition*

25. So, caught in a web of his own lies, Buzbee lashed out.

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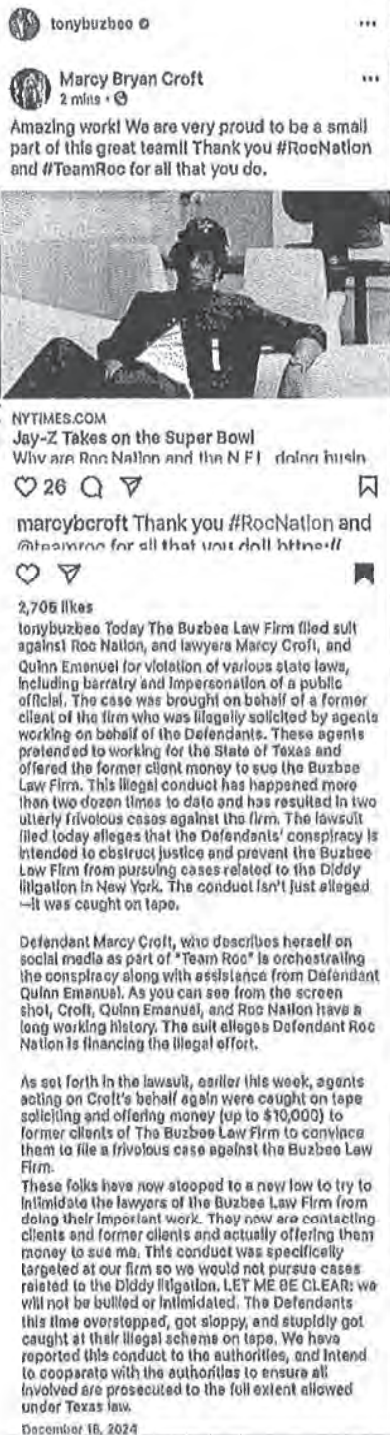
<sup>1</sup> *See* Ex. A at Exs. 10, 12. Maldonado provided limited paperwork for Ms. Croft's review. Listed in that paperwork was an additional, anomalous reference to "Hometown Clients Ex" on what appeared to be a financial document. There was also a form stamped with the name Dr. Rubin Bashir—a physician who repeatedly appears in public filings as an alleged treating physician and/or expert in cases filed by Buzbee and his firm. Although these irregularities raised concerns, Ms. Croft did not believe they were sufficient to bring a civil claim, so she did not refer Maldonado to other counsel. Defendants have been aware of these facts—which are not privileged—from the outset. *See Jackson Med. Clinic for Women, P.A. v. Moore*, 836 So. 2d 767, 773 (Miss. 2003) (explaining a client waives attorney-client privilege "when the contents of the legal advice is integral to the outcome of the legal claims of the action" and "[s]uch is the case when a party . . . specifically places at issue, in some [] manner, the attorney-client relationship"); *Smith v. Guerre*, 159 S.W. 417, 419–20 (Tex. Civ. App. Amarillo 1913, no writ) (explaining that "[t]he object of the rule ceases, and the attorney is no longer bound by his obligation of secrecy" when the client accuses the attorney "either directly or indirectly, with fraud or other improper or unprofessional conduct," at which point the attorney has "the right to make a full disclosure bearing upon the litigation").

26. Buzbee and his firm filed a rash of baseless civil barratry suits in Texas state court against Ms. Croft, accusing her of orchestrating an illegal conspiracy, engaging in criminal conduct, and bribing former Buzbee clients to bring frivolous lawsuits against him. The allegations in those suits are false.

27. But Buzbee couldn't resist going a step further, leaving behind any possible protections generally afforded to in-court statements to spread defamatory falsehoods across the internet.

28. On December 18, 2024—the same day he filed a baseless civil barratry lawsuit against Ms. Croft and the same day Maldonado abruptly terminated his relationship with her via email—Buzbee launched a coordinated attack on his personal Instagram account, where he has over 100,000 followers:





See Tony Buzbee (@tonybuzbee), INSTAGRAM (Dec. 18, 2024),

<https://www.instagram.com/p/DDuRQQLpy5K/>.

29. In a calculated attempt to incite public outrage and destroy Ms. Croft's credibility, Buzbee's post to his *104,000 Instagram followers* is rife with defamatory and actionable falsehoods:

30. Buzbee falsely claimed that Ms. Croft had hired (fake) "agents" to illegally solicit clients—statements which are categorically false.

including barratry and impersonation of a public official. The case was brought on behalf of a former client of the firm who was illegally solicited by agents working on behalf of the Defendants. These agents pretended to working for the State of Texas and

31. And then Buzbee said that Ms. Croft's (fake) "agents" had misrepresented themselves as working for the State of Texas while engaging in barratry (a felony)—all purportedly on her behalf:

client of the firm who was illegally solicited by agent working on behalf of the Defendants. These agents pretended to working for the State of Texas and offered the former client money to sue the Buzbee Law Firm. This illegal conduct has happened more than two dozen times to date and has resulted in two



32. And yet again, later, he told his more than 100,000 Instagram followers that “agents” “*acting on Croft’s behalf*” offered former clients of Buzbee \$10,000 to file a frivolous case against him:

As set forth in the lawsuit, earlier this week, agents acting on Croft’s behalf again were caught on tape soliciting and offering money (up to \$10,000) to former clients of The Buzbee Law Firm to convince them to file a frivolous case against the Buzbee Law Firm.

These folks have now stepped to a new law to try to

33. Buzbee’s statements to his more than 100,000 Instagram followers, as set forth in paragraphs 30, 31, and 32, are all lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies to his followers, causing serious damage to Ms. Croft and her law firm.

34. Reeling from damaging exposure in highly public cases<sup>2</sup>, Buzbee doubled down on his lies, accusing Ms. Croft of *habitual* illegal activity:

offered the former client money to sue the Buzbee Law Firm. This illegal conduct has happened more than two dozen times to date and has resulted in two utterly frivolous cases against the firm. The lawsuit filed today alleges that the Defendant’s conspiracy is

<sup>2</sup> See *Thompson v. Buzbee, et al.*, No. 2:24-cv-02827 (E.D. La. filed Dec. 9, 2024); *Guidry v. Buzbee, et al.*, No. 2:24-cv-02873 (E.D. La. filed Dec. 13, 2024).

35. And he likewise accused Ms. Croft of a conspiracy to obstruct justice:

utterly frivolous cases against the firm. The lawsuit filed today alleges that the Defendants' conspiracy is intended to obstruct justice and prevent the Buzbee Law Firm from pursuing cases related to the Diddy

36. But Buzbee didn't stop there. He next said that Ms. Croft was "orchestrating" such an unlawful conspiracy:

Defendant Marcy Croft, who describes herself on social media as part of "Team Roc" is orchestrating the conspiracy along with assistance from Defendant Quinn Emanuel. As you can see from the screen

37. Buzbee's statements to his more than 100,000 Instagram followers, as set forth in paragraphs 34, 35, and 36, are also lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies to his followers, causing serious damage to Ms. Croft and her law firm.

38. Reaching even further, Buzbee charged Ms. Croft and others with "intimidat[ion]" tactics:

These folks have now stooped to a new low to try to intimidate the lawyers of the Buzbee Law Firm from doing their important work. They now are contacting clients and former clients and actually offering them



39. He repeated his prior falsehoods accusing Ms. Croft of barratry and intimidation:

intimidate the lawyers of the Buzbee Law Firm from doing their important work. They now are contacting clients and former clients and actually offering them money to sue me. This conduct was specifically targeted at our firm so we would not pursue cases related to the Diddy litigation. LET ME BE CLEAR: we will not be bullied or intimidated. The Defendants this time overstepped, got sloppy, and stupidly got

40. And lest his followers be left with any doubt, Buzbee closed his post by accusing Ms. Croft and others of an “overstepp[ing],” “sloppy,” “stupid[,]” and “illegal” “scheme”;

will not be bullied or intimidated. The Defendants this time overstepped, got sloppy, and stupidly got caught at their illegal scheme on tape. We have reported this conduct to the authorities and intend

41. Buzbee’s statements to his more than 100,000 Instagram followers, as set forth in paragraphs 38, 39, and 40—are further lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies to his followers, causing serious damage to Ms. Croft and her law firm.

42. The damage caused by Buzbee’s smear campaign was immediate and severe. Accusing a respected member of the bar of committing a felony, being “sloppy” and “stupid,” and orchestrating a conspiracy to obstruct justice was not only deliberate but also highly damaging. These reckless, baseless, and patently false allegations were designed to inflict maximum harm on Ms. Croft’s professional reputation and standing within the legal community.

Buzbee's Public Defamation Campaign Deepens – Facebook Edition

43. Buzbee's lies didn't stop when he logged out of Instagram. Rather, he continued his campaign through two December 18, 2024, posts on a second social media platform—Facebook—where he has thousands of followers.

44. One of Buzbee's Facebook posts copied verbatim from his Instagram post:





See Tony Buzbee, FACEBOOK (Dec. 18, 2024), <https://www.facebook.com/share/p/1A1DaTXPFC/>.

45. Buzbee posted a second time that same day, this time bolstering his prior defamatory and actionable statements with new ones:



See Tony Buzbee, FACEBOOK (Dec. 18, 2024), <https://www.facebook.com/share/p/1BSUANb1yH/>.

46. In this second Facebook post, Buzbee purports to “quote” from a “secret recording” between Ms. Croft’s supposed “agents” and a former Buzbee client—whom the “agents” supposedly offer cash in exchange for suing Buzbee:

...paying someone and offering money (up to \$10,000) to former clients of the Buzbee Law Firm to convince them to file a frivolous case against the Buzbee Law Firm. In one of the secret recordings, the scheme is described in detail:

"What we're trying to do is, we are trying put this thing together for the company that we're working for--

We could get you paid, . . . you could get money right soon, you know?

We gave this kid 1,000 bucks to start yesterday just to get him on the right path.

At the end of the day, this is going to go through the courts, Buzbee is getting sued . . ."

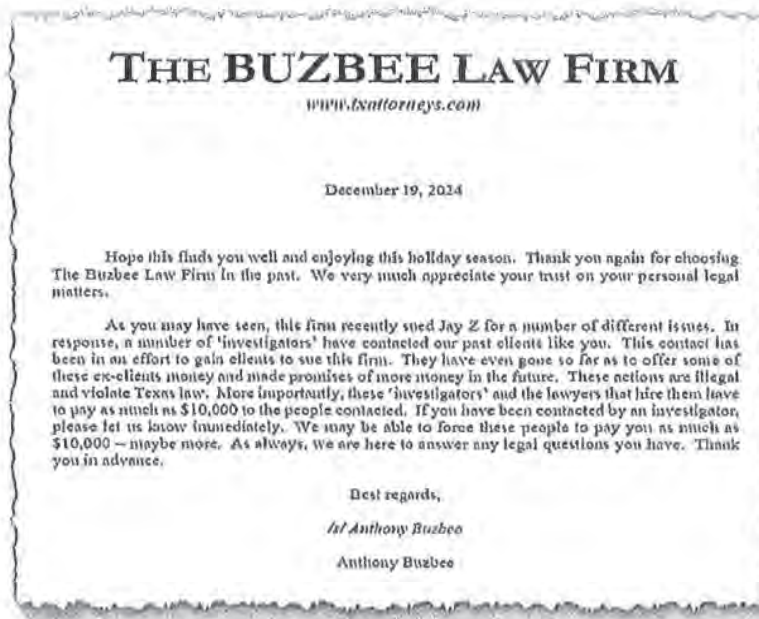
47. Like Buzbee’s statements before, paragraphs 45 and 46 are still lies. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies on Facebook, causing serious damage to Ms. Croft and her law firm.

*Buzbee’s Public Defamation Campaign Continues*

48. But Buzbee didn’t stop there. His defamation campaign continued, from the social media air waves to old fashioned snail mail.

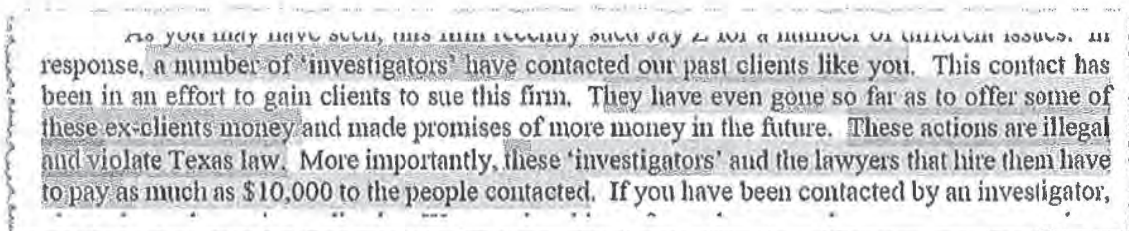
49. On December 19, 2024, Buzbee and his law firm sent his former clients a letter defaming Ms. Croft—this time, on large firm letterhead:





50. In this letter, Buzbee repeated many of the same falsehoods he made on social media the day before.

51. Buzbee accused the "lawyers that hire" the "investigators"—presumably referring to Ms. Croft—of offering former clients up to \$10,000 in exchange for suing him:



52. As with Buzbee's prior statements, those in paragraph 51 are also false. Buzbee willfully, maliciously, wantonly, and with reckless disregard for the truth spread these lies publicly, causing serious damage to Ms. Croft and her law firm.

*Buzbee's Litigation Campaign Unfolds*

53. Buzbee and The Buzbee Law Firm filed three entirely baseless civil barratry lawsuits in Harris County, Texas, against Ms. Croft and others, all amidst Buzbee's own mounting legal problems as part of a public campaign of intimidation through litigation. He has filed multiple suits against Ms. Croft and others on behalf of former clients, including Maldonado, not in pursuit of justice, but as a deliberate effort to suppress additional legal actions from current and former personal injury clients. *See Garcia v. Croft, et al.*, No. 4:25-cv-00353 (filed Dec. 18, 2024 and removed to S.D. Tex. Jan. 28, 2025); *Maldonado v. Croft, et al.*, No. 4:25-cv-00345 (filed Jan. 3, 2025 and removed to S.D. Tex. Jan. 28, 2025); *The Buzbee Law Firm v. Quinn Emanuel, et al.*, No. 4:25-cv-00385 (filed Dec. 5, 2024, amended Jan. 27, 2025, and removed to S.D. Tex. Jan. 29, 2025). Ms. Croft, along with the other defendants, removed these lawsuits to federal court where they are pending at the time of this filing.

54. Each of these three lawsuits against Ms. Croft rests on invented facts and contrived allegations—demonstrating Buzbee's clear intent to weaponize the legal system against those who expose his misconduct.

55. The first, brought by Buzbee on behalf of a plaintiff named Gerardo Garcia, was the apparent basis of Buzbee's defamatory social media posts and letter. In the petition, Buzbee falsely accuses Ms. Croft of “engaging shadowy operatives to illegally seek out more than two dozen current and former clients of The Buzbee Law Firm to convince those clients to bring frivolous cases against The Buzbee Law Firm.” *Garcia*, No. 4:25-cv-00353, Dkt. 1-2 at 2 (footnote omitted).

56. Buzbee brought a second lawsuit on January 3, 2025, on behalf of Defendant Jose Maldonado, meritlessly accusing Ms. Croft of the same activity; purportedly “engaging shadowy



operatives to illegally seek out more than two dozen current and former clients of The Buzbee Law Firm to convince those clients to bring frivolous cases against The Buzbee Law Firm.” *Maldonado*, No. 4:25-cv-00345, Dkt. 1-2 at 2 (footnote omitted).

57. And on January 27, 2025, Buzbee dragged Ms. Croft into a third case, amending a previously filed petition brought on his own firm’s behalf to name her as a defendant. The *Buzbee Law Firm* petition repeated the same false allegations as the pleadings that Buzbee filed before. *The Buzbee Law Firm*, No. 4:25-cv-00385, Dkt. 1-2 at 316.

58. In each lawsuit, Buzbee audaciously sued a fake person: “Jessica Santiago,” a purported private “investigator” from Harris County, Texas. On information and belief, no such person exists. There is no such person with that name living in Harris County, Texas—or anywhere in Texas, for that matter—who is registered as a private investigator. And Buzbee refused requests to provide an address or any other identifying details for her. Unsurprisingly, she has not been served.<sup>3</sup>

#### **COUNT I: ABUSE OF PROCESS AGAINST THE DEFENDANTS**

59. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

60. “[T]he three elements of abuse of process are: (1) the party made an illegal use of a legal process, (2) the party had an ulterior motive, and (3) damage resulted from the perverted use of process.” *Ayles ex rel. Allen v. Allen*, 907 So. 2d 300, 303 (Miss. 2005).

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<sup>3</sup> Similarly, listing Quinn Emanuel as a defendant was nothing more than an attempt to open a new front in Buzbee’s public battle with that firm and its client Jay-Z. Quinn Emanuel was improperly joined in the Harris County suits because there is not a single factual allegation tying the firm to the alleged claims. The petitions’ only specific references to Quinn Emanuel demonstrate why it was sued: the firm’s unrelated defense of Jay-Z in a separate matter involving another Buzbee client. That case has nothing to do with Buzbee’s former personal-injury clients.

61. Working in concert with Buzbee to file a knowingly false, vindictive lawsuit against Ms. Croft, Maldonado intentionally used a legal process to primarily accomplish the purpose of humiliating Ms. Croft and discouraging other former Buzbee clients from pursuing claims against Buzbee.

62. In each of the three lawsuits Buzbee and his firm filed against Ms. Croft, Buzbee joined a fake defendant purportedly named “Jessica Santiago.”

63. While the *Garcia* and *Maldonado* petitions note “Harris County, Texas” as “Jessica Santiago’s” place of residence, the later-filed *Buzbee Law Firm* petition does not list any residence at all. Compare *Garcia*, No. 4:25-cv-00353, Dkt. 1-2 at 9; *Maldonado*, No. 4:25-cv-00345, Dkt. 1-2 at 9; with *The Buzbee Law Firm*, No. 4:25-cv-00385, Dkt. 1-2 at 319.

64. Additionally, Buzbee has not amended the allegations in *Garcia* and *Maldonado* to exclude mention of Harris County as “Jessica Santiago’s” place of residence—or to remove her as a defendant—further indicating Buzbee has not identified her residence. The petitions provide no address or identifying details for “Santiago,” stating she can be served at her home address (unidentified) or “wherever she may be found.” See *Garcia*, No. 4:25-cv-00353, Dkt. 1-2 at 9; *Maldonado*, No. 4:25-cv-00345, Dkt. 1-2 at 9. The fact that “Santiago” has not been served highlights that she has not been found.

65. Defendants’ actions constitute a gross and willful abuse of process in that they maliciously and spitefully, with ulterior motive, abused the legal process of joinder by improperly joining a fake defendant to destroy diversity jurisdiction when they knew, or should have known, that “Jessica Santiago” was not a real person.

66. Defendants’ tortious conduct was used to accomplish the unjustified and unlawful purpose of illegally destroying diversity jurisdiction as an attempt to keep the lawsuits within the



purview of the state courts and for other ulterior reasons and motives. *See McLain v. West Side Bone & Joint Ctr.*, 656 So.2d 119, 123 (Miss. 1995) (stating that the “crucial element” of abuse of process is “the intent to abuse the privileges of the legal system”); *State ex rel. Foster v. Turner*, 319 So.2d 233, 236 (Miss. 1975) (“[T]he malicious abuse of process is the employment of a process in a manner not contemplated by law, or to obtain an object which such a process is not intended by law to effect.”).

67. Defendants’ acts constituted a willful, malicious, wanton, and reckless disregard for Plaintiff’s rights with the intent to harass, humiliate, and embarrass her all while threatening Buzbee’s former and current clients to deter them from bringing suit against him. Plaintiffs sustained damages as a result of Defendants’ perverted use of the legal process to serve unjust and ulterior ends.

#### **COUNT II: DEFAMATION AGAINST BUZBEE**

68. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

69. “To establish a claim for defamation, an ordinary plaintiff must show the following: (1) a false and defamatory statement concerning the plaintiff; (2) an unprivileged publication to a third party; (3) fault amounting at least to negligence on the part of the publisher; and (4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication.” *Journal Pub. Co. v. McCullough*, 743 So.2d 352, 359 (Miss. 1999).

70. As set forth above, on December 18, 2024, Buzbee knowingly and willfully made multiple false statements about Plaintiff.

71. Buzbee published those knowingly and willfully false statements by posting them on his personal Instagram and Facebook accounts to hundreds of thousands of followers.

72. The false statements, which accuse Ms. Croft of engaging in illegal conduct, were clearly defamatory, in that they expose Plaintiff to public ridicule and lower her in the confidence of her community.

73. Upon information and belief, Ms. Croft has suffered special harm as a result of the false statements.

74. Buzbee's actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages for Plaintiff's harm.

**COUNT III: DEFAMATION PER SE AGAINST BUZBEE**

75. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

76. An action for defamation per se exists for words "imputing to [the plaintiff] 'a want of integrity or capacity . . . in the conduct of [her] profession, trade or business[.]'" *Fagan v. Faulkner*, 396 So. 3d 1112, 1117 (Miss. 2024) (quoting *Brothers v. Winstead*, 129 So. 3d 906, 928 (Miss. 2014)).

77. As set forth above, on December 18, 2024, Buzbee knowingly and willfully made multiple false statements about Plaintiff.

78. Buzbee published those knowingly and willfully false statements by posting them on his personal Instagram and Facebook accounts to hundreds of thousands of followers.

79. The statements were clearly defamatory, in that they expose Plaintiff to public ridicule and lower her in the confidence of her community, including Hinds County, Mississippi, and are actionable *per se* in accusing Ms. Croft of illegal conduct, which is inherently damaging to her reputation as a lawyer, as well as a respected citizen in the local community.



80. Buzbee's actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages. *See Natchez Times Pub. Co. v. Dunigan*, 72 So. 2d 681, 684 (Miss. 1954) ("[I]f an article is libelous per se, no special damages are necessary to be alleged or proved. The law presumes damage per se from the writing of the libelous words."). Buzbee's false and defamatory statements are not subject to the protections of any federal or state privilege.

#### **COUNT IV: FALSE LIGHT INVASION OF PRIVACY AGAINST DEFENDANTS**

81. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

82. To recover on a claim for false light invasion of privacy, a plaintiff must demonstrate "(a) the false light in which the other was placed would be highly offensive to a reasonable person, and (b) the actor had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which the other would be placed," *Hays v. LaForge*, 333 So.3d 595, 608 (Miss. Ct. App. 2022).

83. As a private citizen, Ms. Croft has an actual and reasonable expectation of privacy with respect to all Defendants. This expectation extends to all false and misleading statements made about her in litigation filings and on social media, including but not limited to Instagram and Facebook posts, public statements, and court pleadings—all of which would be highly offensive to a reasonable person. Defendants' statements, made knowingly or with reckless disregard for the truth, were intended to cast Plaintiff in a false light and cause harm to her reputation and standing in both her personal and professional life.

84. Defendants' actions were willful, malicious, and committed knowingly or with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages.

**COUNT V: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST  
DEFENDANTS**

85. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

86. The afore-stated facts were outrageous and done intentionally and wantonly by Defendants through their willful and unlawful acts.

87. It was foreseeable to Defendants that their reckless disregard for the truth of their statements would cause Plaintiff severe emotional distress.

88. As a direct and proximate consequence of Defendants' intentional actions, Plaintiff has suffered and will continue to suffer significant insult, indignity, humiliation, embarrassment and severe physical anguish and emotional distress.

89. Defendants' actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages.

**COUNT VI: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST  
DEFENDANTS**

90. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

91. The facts stated herein were alternatively done carelessly and negligently by Buzbee through his willful, unlawful, and reckless acts.

92. Defendants knew or should have known that their reckless disregard for the truth of their statements would cause Ms. Croft severe emotional distress.

93. As a direct and proximate consequence of Defendants' negligent actions, Plaintiff has suffered and will continue to suffer significant insult, indignity, humiliation, embarrassment and severe physical anguish and emotional distress.



**COUNT VII: CIVIL CONSPIRACY AGAINST DEFENDANTS**

94. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

95. Defendants Buzbee, The Buzbee Law Firm, and Maldonado knowingly and willfully engaged in a concerted effort to defame, discredit, and harm Ms. Croft by spreading false and defamatory statements through both litigation and social media.

96. Defendants, acting in concert and with a common purpose, conspired to fabricate false allegations against Ms. Croft, including but not limited to false claims of criminal misconduct, professional impropriety, and unethical behavior, with the intent to destroy her personal and professional reputation.

97. In furtherance of this conspiracy, Defendants coordinated their actions to file baseless lawsuits, disseminate false information through social media, and use legal proceedings as a weapon to intimidate and silence Ms. Croft.

98. As a direct and proximate result of Defendants' conspiracy, Ms. Croft has suffered significant harm, including reputational damage, emotional distress, and impairment to her professional standing.

99. Defendants' actions were willful, malicious, and committed with reckless disregard for the truth, warranting the imposition of compensatory and punitive damages. There is clear and convincing evidence of actual malice, fraud, or gross negligence warranting the imposition of punitive damages under Section 11-1-65 of the Mississippi Code.

**DAMAGES**

100. Plaintiff incorporates herein the preceding paragraphs of the complaint and reserves the right to amend these allegations as further information is obtained from Defendants.

101. As a result of Defendants' conduct as alleged herein, Plaintiff sustained injuries and incurred substantial damages including, but not limited to the following compensatory damages in the amount of at least \$25,000,000:

- a. Past, present, and future mental and emotional distress;
- b. Damages per se arising from defamation per se;
- c. Loss of wage-earning capacity; and
- d. Loss of personal and professional reputation, as well as public embarrassment.

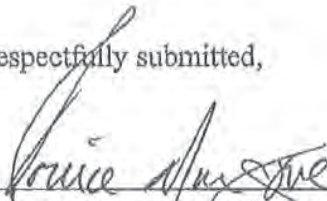
102. Clear and convincing evidence establishes that Defendants acted with actual malice, fraud, or gross negligence warranting the imposition of punitive damages under Mississippi Code § 11-1-65 in an amount to be determined by the jury.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Marcy Croft demands trial by jury and respectfully requests that judgment be entered against Defendants Anthony Buzbee, Anthony G. Buzbee, L.P. d/b/a The Buzbee Law Firm, and Jose Maldonado for compensatory and consequential damages as shown by the evidence in an amount not less than \$25,000,000, pre-interest on the judgment, post-interest on the judgment, punitive damages, attorney's fees, all costs, fees, and disbursements, and such other relief under the laws of the State of Mississippi or of any kind to which Plaintiff is otherwise entitled.



Dated: March 11, 2025

Respectfully submitted,



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Quentin Whitwell (MS Bar No. 10859)  
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Boyd@musgrovewhitwell.com

*Attorneys for Plaintiff Marcy Craft*

# EXHIBIT A



CAUSE NO. 2020CCV-61002-3

GUADALUPE GARZA  
*Plaintiff,*

v.

CALLAN MARINE, LTD.  
*Defendant.*§ IN THE 3<sup>RD</sup> COUNTY COURT AT LAW  
§  
§  
§  
§  
§  
§ NUECES COUNTY, TEXAS**RESPONSE TO MOTION TO QUASH TEXAS ACCESS TO JUSTICE SUBPOENA OR,  
ALTERNATIVELY, ISSUE A PROTECTIVE ORDER AND  
MOTION TO COMPEL**

Defendant, Callan Marine, Ltd. ("Callan Marine"), files this Response to Plaintiff's Motion to Quash Defendant's Witness Subpoena/Subpoena Duces Tecum to Non-Party Texas Access to Justice Foundation, or Alternatively Issue a Protective Order. Callan Marine also files this Motion to Compel and respectfully requests the Court compel Plaintiff's compliance with the Non-Party Subpoena. In support of thereof, Callan Marine shows the Court the following:

**I. Argument Summary**

Beginning with July 16, 2020, the day immediately following Plaintiff's alleged injury, Callan Marine has consistently honored its maintenance and cure obligation by, among other things, sending maintenance checks to Plaintiff's counsel. The Buzbee Law Firm electronically deposited many of these checks into an account labeled "Business Checking." Yet, Plaintiff's petition denies receipt of these payments. Callan Marine seeks discovery to confirm that its maintenance payments were deposited into an IOLTA account and were being separately maintained and held in trust for Plaintiff's benefit.

## II. Relevant Factual & Procedural Background

On July 17, 2020, Plaintiff sued Callan Marine under the Jones Act, general maritime negligence, and for unseaworthiness. Exhibit 1, Plaintiff's Original Petition, at ¶ XV; Exhibit 2, Plaintiff's First Amended Petition, at ¶ XV. In his Petition, Plaintiff contends:

Defendant has denied payment and/or has unreasonably delayed payments for maintenance and cure and/or has paid maintenance in an insufficient amount. As a result of Defendant's conduct, and Defendant's failure to pay and/or delay paying the benefits of maintenance and cure, Plaintiff has suffered further injuries and damages, for which he now sues. Plaintiff would further show that Defendant's failure to provide the benefits of maintenance and cure is not only unreasonable, but is arbitrary and capricious, or willful, callous, and persistent; and that as a result thereof, Plaintiff is entitled to an award of attorneys' fees, for which he now sues, in addition to all other relief sought.

Exhibit 2 at ¶ XV.

On August 25, 2020, Callan Marine filed Special Exceptions and an Original Answer. Exhibit 3, Defendant's Special Exceptions and Original Answer. In relevant part, Callan Marine specially excepted to Plaintiff's maintenance and cure allegations and asked that Plaintiff prove it demanded any such payment prior to filing suit. *See id.* at ¶ 5.

On May 19, 2021, Plaintiff's counsel directed Callan Marine to send any maintenance and cure payments directly to The Buzbee Law Firm. Exhibit 4, Email from Jessica Salto.<sup>1</sup>

On or about December 11, 2020, Callan Marine began sending maintenance checks to Plaintiff's counsel. *See* Exhibit 6, Correspondence from H&H Claims Consultants to Chris Leavitt. As set forth in its December 11<sup>th</sup> letter, Callan Marine "trust[ed] that [The Buzbee Law Firm] will forward this check to your client." *Id.*

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<sup>1</sup> The Buzbee Law Firm represents multiple clients suing Callan Marine under the Jones Act, general maritime negligence, and for unseaworthiness. While Plaintiff's May 19<sup>th</sup> email directive related to a separate claimant, Callan Marine understood this request to apply to every claimant represented by The Buzbee Law Firm, including Plaintiff Braulio Lara. Exhibit 5, Declaration of Kenneth Bullock.



On December 21, 2020, The Buzbee Law Firm electronically deposited the first maintenance payment into an account labeled "Business Checking":

THIS DOCUMENT HAS A GRADUATED BACKGROUND. DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants  
Callan Marine, LTD Esorow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77060-3530  
281-350-0995

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01063  
12/14/2020

AMOUNT  
\$ \*\*\*\*\*6120.00

PAY: Six Thousand One Hundred Twenty and xx / 100 \*\*\*\*\*

VOID AFTER 180 DAYS

TO THE ORDER OF: GUADALUPE GARZA  
C/O The Buzbee Law Firm  
800 Travis Street Suite 7300  
Houston, TX 77002

MEMO MAINTENANCE: 7/16-12/15/20 (PROTEBT)

0000001063 11111122655 2199983111

AUTHORITY G BUZBEE REMOTE DEP CAPTURE 12/21/2020 11:25:47

By: *Guadalupe Garza*  
By: *M. Buzbee*  
For Deposit Only 133418  
Buzbee Law Firm  
133418

By: *Guadalupe Garza*  
By: *M. Buzbee*  
For Deposit Only 133418  
Buzbee Law Firm  
133418

Exhibit 7, Image of Check No. 01063 (emphasis added).

Callan Marine has consistently paid maintenance to Plaintiff. Exhibit 5, Declaration of Kenneth Bullock. As of the date of this filing, Callan Marine has paid approximately \$31,680.00 in maintenance to Plaintiff. *See id.* see also Exhibit 8, Compilation of Maintenance Checks.

On August 26, 2022, Callan Marine issued a Witness Subpoena/Subpoena Duces Tecum to non-party Texas Access to Justice Foundation (the “Subpoena”) requesting documents relating to four bank accounts maintained by The Buzbee Law Firm. Exhibit 9, Non-Party Subpoena. The Buzbee Law Firm electronically deposited many, if not all, of Plaintiff’s maintenance checks into account number 133418—the first account identified in the Subpoena.

The account into which The Buzbee Law Firm electronically deposited many of Plaintiff’s maintenance payments (account 133418) is just one of multiple accounts into which similar funds have been transferred. Evidence establishes that The Buzbee Law Firm has deposited Callan Marine’s maintenance and cure payments into each of the accounts identified in the Subpoena. *See e.g.*, Exhibit 10, Check No. 1001 (reflecting a check made to Jose Maldonado and electronically deposited by The Buzbee Law Firm into an account numbered 6000398); Exhibit 11, Check No. 1051 (reflecting a check made to Denver Hall and electronically deposited by The Buzbee Law Firm into an account numbered 60001548); Exhibit 12, Check No. 1004 (reflecting a check made to Jose Maldonado and electronically deposited by The Buzbee Law Firm into an account numbered 68853).

On September 6, 2022, Plaintiff objected and moved to quash the Subpoena or, alternatively, for protection seeking to prevent the discovery of the information requested from the Texas Access to Justice Foundation. *See* Exhibit 13, Plaintiff’s Objections to the Witness Subpoena/Subpoena Duces Tecum of the Custodian of Records for the Texas Access to Justice Foundation.

For the reasons set forth below, Callan Marine respectfully requests the Court deny Plaintiff’s Motion and grant Callan Marine’s Motion to Compel compliance with the Subpoena.



### III. Argument & Authorities

The “ultimate purpose of discovery is to seek the truth, so that disputes may be decided by what the facts reveal, not by what facts are concealed.” *In re Colonial Pipeline Co.*, 968 S.W.2d 938, 941 (Tex. 1998) (quoting *Jampole v. Touchy*, 673 S.W.2d 569, 573 (Tex. 1984)). Texas Rule 192.3(a) provides, in relevant part, that “a party may obtain discovery regarding any matter that is not privileged and is relevant to the subject matter of the pending action.” Tex. R. Civ. P. 192.3(a). The phrase “relevant to the subject matter of the pending action” should be broadly construed. For example, the United States Supreme Court has interpreted it to mean “to encompass any matter that bears on, or that reasonably could lead to other matter that could bear on, any issue that is or may be in the case[,]” reasoning:

Consistently with the notice-pleading system established by the Rules, discovery is not limited to issues raised by the pleadings, for discovery itself is designed to help define and clarify the issues. Nor is discovery limited to the merits of the case, for a variety of fact-oriented issues may arise during the litigation that are not related to the merits.

*Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 351 (1978) (citations omitted).

In Texas, this phrase—“relevant to the subject matter of the pending action”—is interpreted in a similarly broad manner. As the Texas Supreme Court advised:

We broadly construe the phrase “relevant to the subject matter” to provide litigants the opportunity “to obtain the fullest knowledge of the facts and issues prior to trial.” Evidence is relevant if “(a) it has any tendency to make a fact more or less probable than it would be without the evidence and (b) the fact is of consequence in determining the action.”

*In re Nat’l Lloyds Ins. Co.*, 532 S.W.3d 794, 808 (Tex. 2017) (orig. proceeding) (footnotes omitted and quoting *Ford Motor Co. v. Castillo*, 279 S.W.3d 656, 664 (Tex. 2009) (quoting *Axelson, Inc. v. McIlhany*, 798 S.W.2d 550, 553 (Tex. 1990)), Tex. R. Evid. 401, and *In re CSX Corp.*, 124

S.W.3d 149, 152 (Tex. 2003)); *see also In re Vaughn*, 2019 WL 962381 \*1, \*3 (Tex. App.—Corpus Christi 2019) (“What is ‘relevant to the subject matter’ is to be broadly construed.”).

As the party seeking to avoid discovery, Plaintiff “must show a particular, specific, and demonstrable injury by facts sufficient to justify a protective order, and the trial court may not grant a protective order limiting discovery unless the party seeking such protection has met this burden.” *In re Liberty Mut. Ins. Co.*, 2009 WL 441897 \*1, 5 (Tex. App.—Houston [14th Dist.] 2009, no pet.) (citing *Masinga v. Whittington*, 792 S.W.3d 940, 940 (Tex. 1990)). “Thus, the party resisting discovery is not free to make conclusory statements that the requested discovery is unduly burdensome or unnecessarily harassing, but, instead, must produce some evidence supporting its request for a protective order.” *Id.* (citing *In re Alford Chevrolet-Geo*, 997 S.W.2d 173, 181 (Tex. 1999)).

As noted by Comment 7 to the 1999 change to Rule 192: “Courts should limit discovery under this rule only to prevent unwarranted delay and expense as stated more fully in the rule. A court abuses its discretion in unreasonably restricting a party’s access to information through discovery.” Tex. R. Civ. P. 192 cmt. 7 to 1999 change. A trial court also abuses its discretion when it limits discovery in the absence of evidence showing circumstances justifying a protective order. *In re Liberty Mutual Co.*, 2009 WL 441897 at \*15.

In deciding whether a protective order is appropriate, the trial court is instructed to balance the parties’ interests. *Garcia v. Peebles*, 734 S.W.2d 343, 348 (Tex. 1987) (holding that the trial court should have balanced the parties’ competing needs before granting a protective order); *Eurecat US, Inc. v. Marklund*, 527 S.W.3d 367, 376 (Tex. App.—Houston [14th Dist.] 2017, no pet.) (same). This balancing test is codified in Texas Rule 192.4(b). *Eurecat US, Inc.*, 527 S.W.3d at 376 (“The trial court’s balancing test is codified in Texas Rule [ ] 192.4(b).”).



Here, Plaintiff's Motion should be denied because (1) the discovery Callan Marine seeks is relevant and necessary for evaluating Plaintiff's allegations and preparing Callan Marine's defense thereto, and (2) Plaintiff failed to meet its burden to introduce evidence establishing a "particular, specific, and demonstrable injury" sufficient to justify a protective order.

**A. The Subpoena seeks relevant and discoverable information.**

Plaintiff contends the Subpoena seeks irrelevant information that "do[es] not relate to any claim or defense" and is "not related in any way to the issues involved in the litigation." Plaintiff is incorrect.

Plaintiff's petition falsely alleges that Callan Marine has "denied payment and/or has unreasonably delayed [maintenance] payments...and/or has paid maintenance and cure in an insufficient amount." Exhibit 2 at ¶ XV. The evidence, however, establishes that Callan Marine *has* consistently made maintenance payments to Plaintiff since December 2020. *See* Exhibit 5. Callan Marine is not wrongfully withholding maintenance payments from Plaintiff and is fully complying with its legal obligations to pay maintenance. The evidence establishes that The Buzbee Law Firm electronically deposited many of these checks into a "business checking" account numbered "133418"—one of the accounts identified in the Subpoena. *See* Exhibit 9 at Requests 1-4.

**If, as Plaintiff alleges in his petition, he is not receiving Callan Marine's maintenance payments, where did the money go?** The answer to this question is undoubtedly relevant to evaluate and rebut Plaintiff's allegations and Callan Marine is entitled to investigate same.<sup>2</sup>

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<sup>2</sup> An employer may have a legal obligation to provide an employee with the benefit of maintenance and cure if the employee is injured while in the service of a vessel. Callan Marine paid all maintenance and cure benefits under protest and does not concede that any such legal obligation exists because, in part, Callan Marine does not believe Plaintiff was injured at all, let alone while in service of a vessel. Regardless of the outcome of that dispute, however, the law entitles an employer, like Callan Marine, to investigate claims

Moreover, the information is relevant and necessary to evaluate the true extent of Plaintiff's alleged injury. More specifically, Plaintiff alleges that his condition worsened because he hasn't received maintenance and cure payments. *See* Exhibit 2 at ¶ XV. If The Buzbee Law Firm is not providing Plaintiff with the maintenance funds Callan Marine consistently pays, then either (1) Plaintiff's allegation of additional harm was made—and continues to be made—in bad faith and/or (2) any additional harm was caused by The Buzbee Law Firm *not* Callan Marine. Regardless, Callan Marine is entitled to discovery so that it can get to the bottom of the discrepancy between the evidence, on the one hand, and Plaintiff's allegations, on the other.

Callan Marine only seeks to confirm that The Buzbee Law Firm deposited the maintenance checks Callan Marine sent for the benefit of Plaintiff into a separate trust account. It is not seeking to get any further private information about the accounts, such as what other deposits were made, deposit amounts, balances, statements, or the like. In fact, Texas Access to Justice Foundation does not even maintain such information. Because an attorney must hold a client's funds separate from the lawyer's own property, each of the accounts identified in the Subpoena are presumably IOLTA accounts. *See* Tex. Disciplinary R. Prof'l Conduct 1.14. Callan Marine seeks this information to confirm its assumption. Callan Marine's discovery request is undoubtedly relevant and should be uncontroversial.

**B. Plaintiff failed to satisfy its burden of proof necessary to obtain a protective order.**

Plaintiff seeks protection from the Subpoena arguing that it is (1) overbroad; (2) unduly burdensome; (3) harassing; and (4) irrelevant. Plaintiff's Motion makes only a passing reference,

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for maintenance and cure benefits. *See Thomas v. Hercules Offshore Services, L.L.C.*, 713 Fed. Appx. 382, 386 (5th Cir. 2018). That is precisely what Callan Marine seeks to do via the Subpoena: investigate claims for maintenance and cure benefits.



at best, to the scope of the Subpoena and the alleged burden imposed upon Plaintiff by this non-party discovery. To the extent the Court believes the Subpoena is overly broad, Callan Marine is willing to restrict the Subpoena's scope to the time period 2020 through the present.

As to Plaintiff's objection that the Subpoena is harassing, it is worth noting that Plaintiff acknowledges that the Subpoena merely seeks "information on the designation of Plaintiff's counsel's IOLTA bank accounts." A production request cannot be harassing if, for example, it seeks documents that are relevant or reasonably calculated to lead to the discovery of admissible evidence. *ISK Biotech Corp. v. Lindsay*, 933 S.W.2d 565, 568 (Tex. App.—Houston [1<sup>st</sup> Dist.] 1996, orig. proceeding) ("[W]e have already concluded, however, that these production requests were reasonably calculated to lead to the discovery of admissible evidence; a request that meets that criterion is manifestly not ... 'sought solely for the purposes of harassment.'"). Such is the case here.

Fatal to Plaintiff's Motion, however, is Plaintiff's failure to produce any evidence establishing "a particular, specific, and demonstrable injury by facts sufficient to justify a protective order." *In re Liberty Mut. Ins. Co.*, 2009 WL 441897 at \*5. Plaintiff "is not free to make conclusory statements that the requested discovery is unduly burdensome or unnecessarily harassing, but, instead, must produce some evidence supporting its request for a protective order." *Id.* (citing *In re Alford Chevrolet-Geo*, 997 S.W.2d 173, 181 (Tex. 1999)). Plaintiff failed to do so. Accordingly, it would be an abuse of discretion to grant Plaintiff's Motion and prevent Callan Marine from obtaining the discovery necessary to evaluate Plaintiff's allegations and deposition testimony and prepare Callan Marine's defenses. *See id.* at \*15 ("A trial court abuses its discretion when it limits discovery in the absence of evidence showing circumstances justifying a protective order.").

**IV. Motion to Compel**

Callan Marine requests an Order compelling non-party Texas Access for Justice Foundation's compliance with the Subpoena. As discussed above, Callan Marine seeks to discover relevant and straightforward information, namely confirmation that the maintenance checks it has consistently sent to The Buzbee Law Firm are being held in trust for Plaintiff's benefit. It is not an abuse of discretion to order production of IOLTA information. *See In re Vaughn*, 2019 WL 962381 at \*7 (concluding "trial court, on this record, did not abuse its discretion in ordering [the] production" of IOLTA bank statements).

**V. Conclusion**

The evidence establishes that Callan Marine has consistently honored its maintenance obligation, if any, owed to Plaintiff. Yet, in his Petition, Plaintiff put into issue his receipt of the maintenance payments Callan Marine has repeatedly and consistently sent. There can be no doubt Plaintiff's counsel received the funds and electronically deposited many, if not all, of them into an account labeled "Business Checking." In an attempt to get to the bottom of the discrepancy between Plaintiff's allegations and the evidence, Callan Marine seeks discovery confirming that the account(s) into which Plaintiff's maintenance checks were deposited are IOLTA accounts in which The Buzbee Law Firm is holding Plaintiff's funds in trust. This evidence goes to the heart of issues raised by Plaintiff. Accordingly, Plaintiff's Motion to Quash and Motion for Protection should be denied.

Because the requested discovery is relevant and discoverable, Callan Marine respectfully requests an Order compelling Texas Access to Justice Foundation's compliance with the Subpoena.



Respectfully submitted,

**RUSTY HARDIN & ASSOCIATES LLP**

By: /s/ Rusty Hardin

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**ATTORNEYS FOR DEFENDANT,  
CALLAN MARINE, LTD.**

**CERTIFICATE OF SERVICE**

The undersigned attorney, as attorney for Defendant Callan Marine, Ltd., certifies that a true and correct copy of the foregoing has been served upon all known counsel of record by the method of service indicated on this, the 12th day of September 2022,

**Via Electronic Service**

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Mr. Christopher J. Leavitt  
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*Attorneys for Plaintiff*

/s/ Daniel R. Dutko

Daniel R. Dutko



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Cathy Gibson on behalf of Daniel Dutko

Bar No. 24054206

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Associated Case Party: Guadalupe Garza

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# EXHIBIT 1



2020CCV-61002-3

CAUSE NO. \_\_\_\_\_

GUADALUPE GARZA  
*Plaintiff,*

VS.

CALLAN MARINE, LTD.  
*Defendant.*

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IN THE \_\_\_\_ COUNTY COURT OF

NUECES COUNTY, TEXAS

**JURY TRIAL DEMANDED****PLAINTIFF'S ORIGINAL PETITION**

TO THIS HONORABLE COURT:

Plaintiff complains of Callan Marine, Ltd. and for cause of action respectfully shows this Honorable Court the following:

**I.**

Discovery in this matter will be conducted pursuant to Level 2.

**II.**

Plaintiff was a resident of Hidalgo County, Texas at the time this cause of action arose.

**III.**

Defendant Callan Marine, Ltd. is a Texas corporation doing business in the State of Texas for the purpose of accumulating monetary profit. It may be served via certified mail through its registered agent for service in this State, TODD P SULLIVAN, at 4800 OLD PORT INDUSTRIAL ROAD, GALVESTON, TX 77554.

**IV.**

Venue is proper in this matter, in that the cause of action arose out of an incident which occurred in Nueces County, Texas.

**V.**

Plaintiff is an American seaman and brings this action pursuant to Title 46 U.S.C. § 688.

**VI.**

At all times material hereto, Plaintiff was aboard a vessel owned and operated by Defendant, and was in the employ of Defendant, acting within the course and scope of his employment as a seaman.

**VII.**

On or about July 15, 2020 Plaintiff was performing his regular duties while assigned to Defendant's vessel. Plaintiff was working near the crane, which was leaking oil. While working Plaintiff slipped and fell on this oil and injured his back. He suffered serious injury as a result. Plaintiff brings claims under the Jones Act, for general maritime negligence, and for unseaworthiness.

**VIII.**

By reason of the occurrences made the basis of this action, including the conduct on the part of Defendant, Plaintiff sustained severe bodily injuries. Plaintiff has suffered physical pain and mental anguish and, in reasonable medical probability, will continue to do so for the balance of his natural life.

**IX.**

As a result of the foregoing injuries, Plaintiff has suffered a loss of wages in the past and a loss of or reduction in the capacity to work and earn money in the future and, in reasonable probability, his earning capacity has been impaired permanently.



**X.**

Moreover, Plaintiff has incurred reasonable and necessary medical expenses in the past and, in reasonable probability will incur reasonable medical expenses in the future.

**XI.**

Additionally, as a result of the injuries sustained in this occurrence, Plaintiff suffered in the past and will, in reasonable medical probability, continue to suffer permanent physical impairment.

**XII.**

Pleading further, in the alternative, if it is shown that Plaintiff was suffering from some pre-existing injury, disease, and/or condition, then such was aggravated and/or exacerbated as a proximate result of the occurrence made the basis of this lawsuit.

**XIII.**

Plaintiff is physically impaired as a result of injuries sustained. As a consequence, he has lost the ability to perform household services and, in reasonable probability, this loss is permanent.

**XIV.**

Under Texas Rule of Civil Procedure 194, Plaintiff requests that Defendant disclose, within 50 days of service of this request, the information or material described in Rule 194.2.

**XV.**

Plaintiff would show that on the above-mentioned date, he was injured while in the service of a vessel. As a result, Defendant has and continues to have a non-delegable duty to provide Plaintiff with the benefit of maintenance and cure. Plaintiff would show that he has not reached maximum medical improvement and that Defendant's duty continues. Defendant has

denied payment and/or has unreasonably delayed payments for maintenance and cure and/or has paid maintenance in an insufficient amount. As a result of Defendant's conduct, and Defendant's failure to pay and/or delay paying the benefits of maintenance and cure, Plaintiff has suffered further injuries and damages, for which he now sues. Plaintiff would further show that Defendant's failure to provide the benefits of maintenance and cure is not only unreasonable, but is arbitrary and capricious, or willful, callous, and persistent; and that as a result thereof, Plaintiff is entitled to an award of attorneys' fees, for which he now sues, in addition to all other relief sought.

Plaintiff would further show that Callan personnel interfered with Plaintiff's medical treatment, refused to investigate and refused to acknowledge Plaintiff was injured. Plaintiff would also show that Callan management knew Plaintiff was injured, but attempted to hide such injuries from Callan's contract partner, and attempted to force Plaintiff to work beyond doctor restrictions.

Plaintiff would also show that Callan is guilty of willful and wanton misconduct in failing to provide a seaworthy vessel, specifically the failure to have adequately trained personnel operating the crane in use holding the anchor, proper safeguards against striking workers with the anchor, and proper equipment for securing the anchor while out of the water. Callan is guilty of gross negligence, actual malice or criminal indifference, which is the equivalent of reckless and wanton misconduct in the breach of the general maritime duty to provide a seaworthy vessel. As such, Plaintiff seeks punitive damages against Callan.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for judgment against Defendant Callan Marine, Ltd. for no less than TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000.00) DOLLARS, plus pre- and post-judgment interest at the legal rate,



for all costs of court, and all such other and further relief, at law and in equity, to which he may be justly entitled.

**PLAINTIFF RESPECTFULLY REQUESTS A TRIAL BY JURY.**

Respectfully submitted,

**THE BUZBEE LAW FIRM**

By: /s/ Anthony G. Buzbee

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State Bar No. 24001820

Christopher J. Leavitt

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**ATTORNEYS FOR PLAINTIFF**

# EXHIBIT 2



**CAUSE NO. 2020CCV-61002-3**GUADALUPE GARZA  
*Plaintiff,*

VS.

CALLAN MARINE, LTD.  
*Defendant.*§  
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§  
§

IN COUNTY COURT AT LAW 3

NUECES COUNTY, TEXAS

**JURY TRIAL DEMANDED****PLAINTIFF'S FIRST AMENDED PETITION**

TO THIS HONORABLE COURT:

Plaintiff complains of Callan Marine, Ltd. and for cause of action respectfully shows this Honorable Court the following:

**I.**

Discovery in this matter will be conducted pursuant to Level 2.

**II.**

Plaintiff was a resident of Hidalgo County, Texas at the time this cause of action arose.

**III.**

Defendant Callan Marine, Ltd. is a Texas corporation doing business in the State of Texas for the purpose of accumulating monetary profit. It may be served via certified mail through its registered agent for service in this State, TODD P SULLIVAN, at 4800 OLD PORT INDUSTRIAL ROAD, GALVESTON, TX 77554.

**IV.**

Venue is proper in this matter, in that the cause of action arose out of an incident which occurred in Nueces County, Texas.

**V.**

Plaintiff is an American seaman and brings this action pursuant to Title 46 U.S.C. § 30104.

**VI.**

At all times material hereto, Plaintiff was aboard a vessel owned and operated by Defendant, and was in the employ of Defendant, acting within the course and scope of his employment as a seaman.

**VII.**

On or about July 15, 2020 Plaintiff was performing his regular duties while assigned to Defendant's vessel Eisenhower. Plaintiff was working near the crane, which was leaking oil. While working Plaintiff slipped and fell on this oil and injured his back. He suffered serious injury as a result. Plaintiff brings claims under the Jones Act, for general maritime negligence, and for unseaworthiness.

**VIII.**

By reason of the occurrences made the basis of this action, including the conduct on the part of Defendant, Plaintiff sustained severe bodily injuries. Plaintiff has suffered physical pain and mental anguish and, in reasonable medical probability, will continue to do so for the balance of his natural life.

**IX.**

As a result of the foregoing injuries, Plaintiff has suffered a loss of wages in the past and a loss of or reduction in the capacity to work and earn money in the future and, in reasonable probability, his earning capacity has been impaired permanently.



**X.**

Moreover, Plaintiff has incurred reasonable and necessary medical expenses in the past and, in reasonable probability will incur reasonable medical expenses in the future.

**XI.**

Additionally, as a result of the injuries sustained in this occurrence, Plaintiff suffered in the past and will, in reasonable medical probability, continue to suffer permanent physical impairment.

**XII.**

Pleading further, in the alternative, if it is shown that Plaintiff was suffering from some pre-existing injury, disease, and/or condition, then such was aggravated and/or exacerbated as a proximate result of the occurrence made the basis of this lawsuit.

**XIII.**

Plaintiff is physically impaired as a result of injuries sustained. As a consequence, he has lost the ability to perform household services and, in reasonable probability, this loss is permanent.

**XIV.**

Under Texas Rule of Civil Procedure 194, Plaintiff requests that Defendant disclose, within 50 days of service of this request, the information or material described in Rule 194.2.

**XV.**

Plaintiff would show that on the above-mentioned date, he was injured while in the service of a vessel. As a result, Defendant has and continues to have a non-delegable duty to provide Plaintiff with the benefit of maintenance and cure. Plaintiff would show that he has not

reached maximum medical improvement and that Defendant's duty continues. Defendant has denied payment and/or has unreasonably delayed payments for maintenance and cure and/or has paid maintenance in an insufficient amount. As a result of Defendant's conduct, and Defendant's failure to pay and/or delay paying the benefits of maintenance and cure, Plaintiff has suffered further injuries and damages, for which he now sues. Plaintiff would further show that Defendant's failure to provide the benefits of maintenance and cure is not only unreasonable, but is arbitrary and capricious, or willful, callous, and persistent; and that as a result thereof, Plaintiff is entitled to an award of attorneys' fees, for which he now sues, in addition to all other relief sought.

Plaintiff would further show that Callan personnel interfered with Plaintiff's medical treatment, refused to investigate and refused to acknowledge Plaintiff was injured. Plaintiff would also show that Callan management knew Plaintiff was injured, but attempted to hide such injuries from Callan's contract partner, and attempted to force Plaintiff to work beyond doctor restrictions.

Plaintiff would also show that Callan is guilty of willful and wanton misconduct in failing to provide a seaworthy vessel, specifically the failure to have adequately trained personnel operating the crane in use holding the anchor, proper safeguards against striking workers with the anchor, and proper equipment for securing the anchor while out of the water. Callan is guilty of gross negligence, actual malice or criminal indifference, which is the equivalent of reckless and wanton misconduct in the breach of the general maritime duty to provide a seaworthy vessel. As such, Plaintiff seeks punitive damages against Callan.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for judgment against Defendant Callan Marine, Ltd. for no less than TWO MILLION, FIVE HUNDRED



THOUSAND (\$2,500,000.00) DOLLARS, plus pre- and post-judgment interest at the legal rate, for all costs of court, and all such other and further relief, at law and in equity, to which he may be justly entitled.

**PLAINTIFF RESPECTFULLY REQUESTS A TRIAL BY JURY.**

Respectfully submitted,

**THE BUZBEE LAW FIRM**

By: /s/ Christopher J. Leavitt

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document has been duly served on all known counsel of record and pro se parties in accordance with the Texas Rules of Civil Procedure on November 29, 2021 as set forth below:

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/s/ Christopher J. Leavitt

Christopher J. Leavitt



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Associated Case Party: Callan Marine, LTD

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# EXHIBIT 3

CAUSE NO. 2020CCV-61002-3

GUADALUPE GARZA  
*Plaintiff,*

v.

CALLAN MARINE, LTD.  
*Defendant.*§  
§  
§  
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§

IN COUNTY COURT AT LAW 3

NUECES COUNTY, TEXAS

**DEFENDANT CALLAN MARINE, LTD.'S  
SPECIAL EXCEPTIONS AND ORIGINAL ANSWER**

Defendant Callan Marine, Ltd. ("Defendant" or "Callan Marine") files these Special Exceptions and Original Answer to Plaintiff Guadalupe Garza's Original Petition and would respectfully show the Court the following:

**SPECIAL EXCEPTIONS**

1. The purpose of Special Exceptions is to force an adverse party to clarify its pleadings when they are not clear or sufficiently specific. *Connolly v. Gasmire*, 257 S.W.3d 831, 839 (Tex. App.—Dallas 2008, no pet.). Special exceptions may also be used to determine whether a party has stated a claim or defense permitted by law. *Mowbray v. Avery*, 76 S.W.3d 663, 677 (Tex. App.—Corpus Christi 2002, pet. denied) (citing TEX. R. CIV. P. 91).
2. Defendant specially excepts to Section V of Plaintiff's Original Petition, as it does not give fair notice of the basis on which Plaintiff brings his action. Title 46 USC § 688 is a statute that is no longer in force. Defendant asks the Court to require Plaintiff to amend his Original Petition to base his cause of action on a valid statute.
3. Defendant specially excepts to Section VI of Plaintiff's Original Petition, as it does not give fair notice of the vessel Plaintiff claims to have been working on. Defendant requests that Plaintiff amend his pleading to clarify the vessel on which he was working. Defendant asks the



Court to require Plaintiff to provide more than general statements in order to give fair notice of the facts upon which he bases his claims.

4. Defendant specially excepts to the second paragraph in Section XV of Plaintiff's Original Petition, as it does not identify the contract partner from which Defendant attempted to hide Plaintiff's alleged injuries. Defendant has not attempted to hide anything from a contract partner or anyone else. Defendant asks the Court to require Plaintiff to provide more than a vague, general statement in order to give fair notice of the facts upon which he bases his claims.

#### **GENERAL DENIAL**

5. As authorized by Rule 92 of the Texas Rules of Civil Procedure, Callan Marine enters a general denial of matters pleaded by Plaintiff Guadalupe Garza ("Plaintiff") in his Original Petition (hereinafter "Petition") and requests that this Court require Plaintiff to prove said charges and allegations by a preponderance of the evidence as required by the Constitution and the laws of the State of Texas.

#### **AFFIRMATIVE DEFENSES**

6. The Petition fails to state a claim or cause of action against the Defendant upon which relief can be granted.

7. The sole or contributing cause of the alleged accidents was the fault, carelessness, misconduct, negligence, and/or want of due care on the part of third parties or others for whom Defendant is not responsible. These acts or omissions serve as a complete bar to, or join in diminution of, Plaintiff's recovery against Defendant.

8. Plaintiff's injuries, if any, were caused exclusively by his own negligence, which negligence is pleaded as a complete bar to, or in diminution of, Plaintiff's recovery against Defendant.

9. Plaintiff's injuries, if any, were caused exclusively by the known risks and hazards of his employment, all of which Plaintiff voluntarily assumed.
10. Plaintiff's injuries, if any, were caused by the ordinary and normal risks incident to his occupation, for which Defendant is not responsible.
11. Plaintiff assumed the risk of injury, if any.
12. Plaintiff's injuries, if any, were caused or contributed to by acts and/or omissions that constitute independent, intervening, intentional and/or superseding causes for which Defendant is not legally responsible.
13. Plaintiff's injuries, if any, were caused by a fellow servant.
14. Plaintiff's damages, if any, are barred in whole or in part as they are the result of a pre-existing condition and were not caused by any act or omission of negligence and/or gross negligence of Defendant and/or unseaworthiness.
15. Defendant did not breach any duty owed to Plaintiff.
16. Defendant's actions or inactions were not a cause in fact of the Plaintiff's alleged damages.
17. Defendant's vessels, their appurtenances and crew, at all relevant times, were reasonably fit and safe for their intended purposes.
18. Plaintiff has failed to and/or breached his duty to mitigate his damages, if any. Plaintiff's recovery, if any, should be barred or reduced accordingly.
19. Defendant requests an offset and credit for payments made to Plaintiff by third parties, as well as for any compensation he receives or has received through workers compensation, Medicare, the Social Security Administration, and/or private health, retirement, and/or welfare benefits. Defendant also affirmatively pleads all rights to limitation of damages, bifurcation,



specificity of award and all other rights as articulated in Chapter 41 of the Texas Civil Practice and Remedies Code.

20. Defendant specifically denies the allegations that it committed acts of negligence and/or gross negligence, that the vessel was unseaworthy, and that it is liable to Plaintiff for any sum or type of pecuniary, nonpecuniary or punitive damages of any other sort.

21. Defendant hereby invokes the doctrine of proportionate responsibility and requests that Plaintiff's recovery, if any, be reduced and apportioned. Defendant further requests that a comparative fault question be submitted for the jury's consideration.

22. Plaintiff's alleged injury did not occur within the course and scope of his employment and was not related to his work.

23. In connection with Plaintiff's claim for maintenance and cure benefits, such benefits are not owed to Plaintiff because the injury or injuries about which Plaintiff complains did not occur during the course and scope of his employment and was not work-related.

24. In connection with Plaintiff's unseaworthiness claim, no unseaworthy condition of the vessel(s) was a proximate cause of Plaintiff's alleged injuries.

25. Defendant's actions or inactions are not a cause in fact of the Plaintiff's alleged damages.

26. Plaintiff received medical treatments that were unnecessary and/or were unrelated to the subject accident.

27. To the extent that damages, injuries and/or harm are alleged that Plaintiff has not yet sustained, but which are alleged may arise in the future, such claims are barred as being premature and/or entirely speculative.

28. Plaintiff is not entitled to recover punitive damages as alleged.

29. Defendant answers any allegations of gross negligence, “actual malice,” “criminal indifference,” and exemplary or punitive damages as follows:

a. Plaintiff is not entitled to exemplary or punitive damages under the Jones Act, 46 U.S.C. § 30104(a), and/or the doctrine of unseaworthiness.

b. Defendant invokes and relies upon the limitations placed upon an award of exemplary or punitive damages as set forth in Texas Civil Practice and Remedies Code Section 41.008. In the unlikely event that a verdict should be rendered which would otherwise result in a judgment in excess of that allowed by Texas Civil Practice and Remedies Code Section 41.008, this Honorable Court should reduce and reform the judgment such that the caps and limitations set forth in Texas Civil Practice and Remedies Code Section 41.008 are not exceeded.

c. In addition to the limitations and caps set forth above, Defendant herein relies upon the entirety of Texas Civil Practice and Remedies Code Chapter 41, including, but not limited to, statutory provisions set forth therein providing for the proper clear and convincing burden of proof as to alleged exemplary or punitive damages, and for the appropriate definition of gross negligence to be submitted to the trier of fact.

d. Plaintiff’s claim for gross negligence, “actual malice,” “criminal indifference,” and exemplary or punitive damages is arbitrary, unreasonable, excessive, and in violation of Defendant’s right to due process of law and equal protection under the Fifth and Fourteenth Amendments to the United States Constitution and under Article 1, Sections 13, 15 and 19 of the Texas Constitution.

e. Plaintiff’s claims for gross negligence, “actual malice,” “criminal indifference,” and exemplary or punitive damages should be proven beyond a reasonable doubt.



f. Exemplary or punitive damages cannot be awarded against Defendant because, in part, Defendant will be placed twice in jeopardy for the same alleged conduct in violation of the United States and Texas Constitutions.

g. Plaintiff's claim for gross negligence, "actual malice," "criminal indifference," and exemplary or punitive damages violates the separation of powers doctrine, since the Court and/or jury would usurp the exclusive power of the Legislature to define crimes and establish punishment.

h. Plaintiff's claim for gross negligence, "actual malice," "criminal indifference," and exemplary or punitive damages against Defendant should be determined only by Defendant's actual subjective conscious indifference, the existence of which is denied, and not by any objective conscious indifference.

i. Plaintiff's claims for gross negligence, "actual malice," "criminal indifference," and exemplary or punitive damages must be assessed by the unanimous verdict of all twelve jurors.

j. Plaintiff's claim for gross negligence, "actual malice," "criminal indifference," and exemplary or punitive damages should not be assessed, in part, because defendants in civil cases who are subject to exemplary or punitive damages do not have the right to refuse to testify against themselves, but in fact, must take the stand and/or give deposition testimony or otherwise subject themselves to the consequences of a default judgment.

k. Plaintiff's claim for gross negligence, "actual malice," "criminal indifference," and exemplary or punitive damages is not based upon a clearly defined statutory enactment setting forth a specific *mens rea* and limit of such awards, and therefore, the standard is unduly vague and does not meet the requirements of due process.

l. Defendant is subjected to all the hazards and risks of what amounts to a fine with respect to Plaintiff's claim for gross negligence, "actual malice," "criminal indifference," and

exemplary or punitive damages, but Defendant receives none of the basic rights afforded to a criminal defendant when being subjected to possible criminal penalties.

m. There can be no award for exemplary or punitive damages, because, at a minimum, Defendant exercised some care and, in fact, was not negligent.

n. Allowing the recovery of exemplary or punitive damages, if any, within a cap provided under the Texas Civil Practice and Remedies Code is arbitrary, unreasonable and excessive, and in violation of the United States and Texas Constitutions.

o. The United States Supreme Court held that an award of exemplary and/or punitive damages must be capped and/or limited to a 1:1 or less ratio to compensatory damages. *Exxon Shipping Co. v. Baker*, 554 U.S. 471, 515 (2008). While denying that exemplary or punitive damages are available to Plaintiff in this matter, or that *Baker* applies to a maritime personal injury action, any award of exemplary or punitive damages that is not capped and/or limited to a 1:1 or less ratio to compensatory damages violates Defendant's due process rights guaranteed by the Fourteenth Amendment to the United States Constitution.

p. Plaintiff's claims for exemplary or punitive damages against Defendant cannot be sustained because any award of exemplary or punitive damages without bifurcating the trial as to all exemplary or punitive-damage issues would violate its due process rights guaranteed by the Fourteenth Amendment to the United States Constitution and by Section 19 of Article 1 of the Texas Constitution.

30. Pursuant to Texas Civil Practice and Remedies Code Section 41.0105, the recovery of medical or health care expenses incurred is limited to the amount actually paid or incurred by or on behalf of Plaintiff.



31. Subject to and without waiving the foregoing, Defendant asserts it is entitled to limitation or exoneration of liability pursuant to the Federal Rules of Civil Procedure and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims and the Limitation of Liability Act, 46 U.S.C. §30501, et seq.

32. Defendant reserves the right to amend its Answer to Plaintiff's Original Petition after it has had an opportunity to more closely investigate these claims as is its right and privilege under the Texas Rules of Civil Procedure and the laws of the State of Texas.

#### **RULE 194 REQUEST FOR DISCLOSURE**

Defendant asks Plaintiff to disclose the information or material described in Texas Rule of Civil Procedure 194.2.

#### **PRAYER FOR RELIEF**

For these reasons, Defendant asks the Court to dismiss all of Plaintiff's claims, assess costs against Plaintiff, and award Defendant all other relief to which it is entitled.

Respectfully submitted,

SCHOUEST, BAMDAS, SOSHEA & BENMAIER

BY: /s/ Susan Noe Wilson

**SUSAN NOE WILSON**

Texas Bar No. 15055025

[snoewilson@sbsblaw.com](mailto:snoewilson@sbsblaw.com)

**MICHAEL W. HOGUE**

Texas Bar No. 09809800

[mhogue@sbsblaw.com](mailto:mhogue@sbsblaw.com)

**JOHN C. SCHWAMBACH, JR.**

Texas Bar No. 17858450

[jschwambach@sbsblaw.com](mailto:jschwambach@sbsblaw.com)

1001 McKinney Street, Suite 1400

Houston, Texas 77002

Telephone: (713) 588-0446

Facsimile: (713) 574-2942

**ATTORNEYS FOR DEFENDANT,**

**CALLAN MARINE, LTD.**

**CERTIFICATE OF SERVICE**

I certify that I served a copy of the foregoing document on the following parties by the **efile.txcourts.gov** on this 25<sup>th</sup> day of August 2020.

Anthony G. Buzbee

Christopher J. Leavitt

The Buzbee Law Firm

600 Travis Street, Suite 7300

Houston, Texas 77002

Anthony G. Buzbee ([tbuzbee@txattorneys.com](mailto:tbuzbee@txattorneys.com))

Christopher J. Leavitt ([cleavitt@txattorneys.com](mailto:cleavitt@txattorneys.com))

/s/ Susan Noe Wilson

**SUSAN NOE WILSON**



# EXHIBIT 4

**From:** Jessica Salto <[jsalto@txattorneys.com](mailto:jsalto@txattorneys.com)>  
**Sent:** Tuesday, May 19, 2020 4:25 PM  
**To:** Sarah Maddox <[smaddox@sbsblaw.com](mailto:smaddox@sbsblaw.com)>; Robert Vining <[rvining@sbsblaw.com](mailto:rvining@sbsblaw.com)>  
**Cc:** Chris Leavitt <[Cleavitt@txattorneys.com](mailto:Cleavitt@txattorneys.com)>  
**Subject:** RE: Bermudez v. Callan Marine, Ltd.: Maintenance and Cure & Medical Release

Sarah, Robert,

Please have the Maintenance and Cure check sent to our office located at 600 Travis Street, Suite 7300, Houston, TX 77002.

Thank you!

Sincerely,



**Jessica Salto**

Legal Assistant to Christopher Leavitt

**The BUZBEE Law Firm**

JP Morgan Chase Tower

600 Travis, Suite 7300Houston, Texas 77002

Telephone: (713) 223-5393

Facsimile: (713) 223-5909

jsalto@txattorneys.comwww.txattorneys.com

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**From:** Sarah Maddox <[smaddox@sbsblaw.com](mailto:smaddox@sbsblaw.com)>
**Sent:** Tuesday, May 19, 2020 10:44 AM**To:** Chris Leavitt**Cc:** Robert Vining**Subject:** : Bermudez v. Callan Marine, Ltd.: Maintenance and Cure & Medical Release

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Leavitt,

Please find our attached response regarding Mr. Bermudez's demand for Maintenance and Cure.

Kind regards,

**Sarah G. Maddox**

Associate Attorney, Houston Office

SBSB



Schouest, Bamdas, Soshea &amp; Ben Maier PLLC

1001 McKinney, Suite 1400

Houston | Texas | 77002

(713) 588-0446 | Office

(832) 519-0442 | Direct

(713) 574-2942 | Fax

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sender and delete the material from any computer. Thank you.



# EXHIBIT 5

IN THE COUNTY COURT AT LAW 3  
NUECES COUNTY, TEXAS

## 1



Date	Check Number	Amount
12/14/2020	1063	\$6,120.00
12/23/2020	1072	\$640.00
1/8/2021	1100	\$600.00
1/22/2021	1139	\$640.00
2/9/2021	1167	\$600.00
2/20/2021	1175	\$520.00
3/9/2021	1208	\$600.00
3/23/2021	1223	\$640.00
4/9/2021	1245	\$600.00
4/23/2021	1297	\$600.00
5/6/2021	1310	\$600.00
5/25/2021	1331	\$640.00
6/9/2021	1382	\$600.00
6/22/2021	1392	\$600.00
7/8/2021	1425	\$600.00
7/23/2021	1466	\$640.00
8/11/2021	1481	\$600.00
8/24/2021	1503	\$640.00
9/9/2021	1527	\$600.00
9/23/2021	1550	\$600.00
10/7/2021	1567	\$600.00
10/26/2021	1582	\$640.00
11/9/2021	1596	\$600.00
11/22/2021	1614	\$600.00
12/8/2021	1645	\$600.00
12/22/2021	1662	\$640.00
1/7/2022	1687	\$600.00
1/24/2022	1703	\$640.00
2/3/2022	1713	\$600.00
2/22/2022	1721	\$520.00
3/8/2022	1731	\$600.00
3/23/2022	1745	\$640.00
4/8/2022	1780	\$600.00
4/22/2022	1819	\$600.00
5/9/2022	1840	\$600.00
5/24/2022	1856	\$640.00
6/7/2022	1871	\$600.00
6/23/2022	1887	\$600.00
7/8/2022	1903	\$600.00

7/22/2022	1916	\$640.00
8/8/2022	1941	\$600.00
08/23/2022	1954	\$640.00
09/08/22	1978	\$600.00

5. As of September 8, 2022, Callan Marine paid maintenance to Guadalupe Garza totaling \$31,680.00.
6. Based on copies received of the deposited checks, it appears The Buzbee Law Firm electronically deposited many of these checks into an account numbered 133418 and labeled "Business Checking." A true and correct compilation of some of the maintenance checks to Guadalupe Garza and proof of The Buzbee Law Firm's electronic deposit thereof are attached as Exhibit 8 to Callan Marine's Response to Plaintiff's Motion to Quash or, alternatively, for Protection and Callan Marine's Motion to Compel (the "Response and Motion to Compel").
7. Attached as Exhibits 10, 11, and 12 to the Response and Motion to Compel are true and correct copies of maintenance checks sent to The Buzbee Law Firm for payment to other clients also asserting Jones Act and maritime claims against Callan Marine. Exhibits 10, 11, and 12, likewise, reflect The Buzbee Law Firm's electronic deposit of maintenance payments into one of multiple accounts.
8. This is my complete statement.

Executed in Fort Bend County, Texas, on the 9th day of September 2022.

  
Kenneth W. Bullock II



# EXHIBIT 6



## *H & H Claims Consultants*

December 11, 2020

Mr. Chris Leavitt  
The Buzbee Law Firm  
600 Travis Street, Suite 7300  
Houston, Texas 77002

RE:   INSURED                 :   CALLAN MARINE, LTD  
      CLAIMANT                :   GUADALUPE GARZA  
      DATE/INCIDENT         :   JULY 15, 2020  
      DREDGE                 :   GENERAL EISENHOWER  
      OUR FILE NO.          :   10.8083

Dear Mr. Leavitt:

Attached, please find the maintenance check in the amount of \$6,120.00 made payable to Guadalupe Garza. Please note that maintenance is being issued at a rate of \$40.00/day, and this check covers the dates of July 16, 2020 through December 15, 2020. We trust that you will forward this check to your client. Additionally, it should be noted that Callan Marine, LTD is issuing maintenance under protest while reserving all rights it has to contest Mr. Garza's entitlement to same. Should you have any questions or concerns in regard to the above or attached, please do not hesitate to contact the undersigned at your earliest opportunity.

Yours very truly,  
H&H Claims Consultants

Kevin A. Hirschfield  
KAH/wc

CC:   Mrs. Susan Noe Wilson/Mrs. Kelly Haas  
      Schouest, Bamdas, Soshea & BenMaier PLLC  
      1001 McKinney Street, Suite 1400  
      Houston, Texas 77002  
      With Enclosures



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H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9995

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01063  
12/14/2020

PAY Six Thousand One Hundred Twenty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*6120.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

MEMO: MAINTENANCE: 7/16-12/15/20 (PROTEST)

⑈0000001063⑈ ⑆113122655⑆ 219998311⑈

01063

Claim Number  
10.8083.259.JA  
Claimant Name  
Guadalupe Garza

Check Amt: \$6,120.00  
Check Date: 12/14/2020  
Adjuster: hirschfieldk  
Invoice No: MAINTENANCE: 7  
Invoice Date: 12/14/2020  
Date Of Loss: 07/15/2020  
Service Dates: 07/16/2020 12/16/2020  
Payee Name: GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

## Comment

MAINTENANCE: 7/16-12/15/20 (PROTEST)

01063

Claim Number  
10.8083.259.JA  
Claimant Name  
Guadalupe Garza

Check Amt: \$6,120.00  
Check Date: 12/14/2020  
Adjuster: hirschfieldk  
Invoice No: MAINTENANCE: 7  
Invoice Date: 12/14/2020  
Date Of Loss: 07/15/2020  
Service Dates: 07/16/2020 12/16/2020  
Payee Name: GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

## Comment

MAINTENANCE: 7/16-12/15/20 (PROTEST)

# EXHIBIT 7



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 54 of 102

✓ Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants Callan Marina, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-63	<b>01063</b> 12/14/2020
---	---	----------------------------

PAY Six Thousand One Hundred Twenty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*6120.00

VOID AFTER 180 DAYS

TO THE ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kerrith...*

MEMO MAINTENANCE: 7/16-12/15/20 (PROTEST)

⑈0000001063⑈ ⑆113122655⑆

219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 12/21/2020 11:26:47

By *Guadalupe Garza*  
Buzbee Law Firm  
Business Checking  
133418  
For Deposit Only

# EXHIBIT 8



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 56 of 102

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H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9996

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01072  
12/23/2020

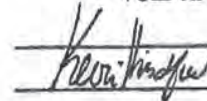
PAY Six Hundred Forty and xx / 100 \*\*\*\*\*

AMOUNT

\$ \*\*\*\*\*640.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002



MEMO MAINTENANCE: 12/16-12/31/20 (PROTEST)

⑈0000001072⑈ ⑆113122655⑆

21999831⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 12/30/2020 09:47:04

By Guadalupe Garza  
Buzbee Law Firm, 133418  
For Deposit Only 133418  
By Buzbee Law Firm Attorney in Fact  
Business Checking

Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 57 of 102

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H&H Claims Consultants Callan Marina, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-53	<b>01100</b> 01/08/2021
---	---	----------------------------

PAY TO THE ORDER OF **Six Hundred and xx / 100** \*\*\*\*\*

AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE ORDER OF **GUADALUPE GARZA**  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*[Signature]*

MEMO MAINTENANCE: 1/1-1/15/21 (PROTEST)

⑈0000001100⑈ ⑆113122655⑆

219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 5/13/2021 12:57:01

By *[Signature]*  
Buzbee Law Firm  
133418  
For Deposit Only  
133418

By *[Signature]*  
Buzbee Law Firm  
133418  
Business Checking  
133418



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 58 of 102

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THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-63	<b>01139</b> 01/22/2021
---	---	----------------------------

PAY Six Hundred Forty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*640.00

VOID AFTER 180 DAYS

TO THE ORDER OF GUÁDALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kevin Thompson*

MEMO MAINTENANCE: 1/16-1/31/21

⑈0000001139⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 01/27/2021 11:53:13

By *Guadalupe Garza*  
By Buzbee Law Firm Attorney in Fact  
133418  
Buzbee Law Firm  
For Deposit Only 133418  
DO NOT WRITE STAMP FROM OTHER BANK

Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 59 of 102

✓ Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants Callen Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank Houston, TX 88-2265/1131-63	01167 02/09/2021
---	---	---------------------

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Guadalupe Garza*

MEMO MAINTENANCE: 2/1-2/15/21 (PROTEST)

⑈0000001167⑈ ⑈13122655⑈ 219998311⑈

ANTHONY B. BUZBEES REMOTE DESK CAPTURE 02/18/2021 12:23:03

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE  
UNLESS IT IS IN THE "FOR DEPOSIT ONLY" SECTION

By *Guadalupe Garza*  
Buzbee Law Firm, Attorney in Fact  
13100570  
Business Checking  
Buzbee Law Firm  
For Deposit Only 133418



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 60 of 102

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THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants Callan Marina, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9998	Prosperity Bank Houston, TX 88-2265/1131-63	01175 02/20/2021
---	---	---------------------

PAY Five Hundred Twenty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*520.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*[Signature]*

MEMO MAINTENANCE: 2/16-2/28/21 (PROTEST)

⑈0000001175⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 02/25/2021 09:25:19

By *[Signature]*  
Buzbee Law Firm  
133418  
Depository  
133418

Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 61 of 102

## ✓ Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9998

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01208  
03/09/2021

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT  
\$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

MEMO: MAINTENANCE FOR 3/1 - 3/15/21

⑈0000001208⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 03/17/2021 12:12:06

By Guadalupe Garza  
Buzbee Law Firm  
Business Office  
133418  
For Deposit Only  
153418



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 62 of 102

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank Houston, TX 88-2285/1131-63	<b>01223</b> 03/23/2021
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PAY Six Hundred Forty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*640.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Keri Thindfel*

MEMO: MAINTENANCE FOR 3/16-3/31/21

⑈0000001223⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 03/25/2021 11:07:28

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Buzbee Law Firm  
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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 63 of 102

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank Houston, TX 88-2265/1131-83	<b>01245</b> 04/09/2021
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PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kerrithioff*

MEMO MAINTENANCE: 4/1-4/15/21

⑈000000⑈1245⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 04/16/2021 12:49:21

By *Guadalupe Garza*  
Buzbee Law Firm  
133418  
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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 64 of 102

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-8986	Prosperity Bank Houston, TX 88-2285/1131-63	01297 04/23/2021
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PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kevin Buzbee*

MEMO: MAINTENANCE: 4/16-4/30/21

⑈0000001297⑈ ⑈113122655⑈

219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 04/30/2021 12:33:04

Guadalupe Garza  
By Buzbee Law Firm  
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133418  
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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 65 of 102

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M&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9886	Prosperity Bank Houston, TX 88-2265/1131-63	<b>01310</b> 05/08/2021
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PAY, Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Guadalupe Garza*

MEMO: MAINTENANCE: 5/1-5/15/21

⑈0000001310⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 05/18/2021 12:20:21

ENDORSE

By *Guadalupe Garza*  
By Buzbee Law Firm, Anthony in Fact  
438448

By *Guadalupe Garza*  
Buzbee Law Firm  
For Deposit Only 1384/0

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE  
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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 66 of 102

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H&H Claims Consultants  
 Callen Marine, LTD Escrow Account  
 40 Cypress Creek Pkwy #435  
 Houston, TX 77090-3530  
 281-350-9986

Prosperity Bank  
 Houston, TX  
 88-2285/1131-83

01331  
 05/25/2021

PAY Six Hundred Forty and xx / 100 \*\*\*\*\* AMOUNT  
 \$ \*\*\*\*\*640.00

VOID AFTER 180 DAYS

TO THE  
 ORDER OF GUADALUPE GARZA  
 C/O The Buzbee Law Firm  
 600 Travis Street Suite 7300  
 Houston, TX 77002

MEMO MAINTENANCE: 5/16-5/31/21 (PROTEST)

⑈0000001331⑈ ⑆113122655⑆ 219998311⑈

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By Guadalupe Garza  
 Attorney in Fact

By Buzbee Law Firm  
 133418

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ANTHONY G BUZBEE REMOTE DEP CAPTURE 06/04/2021 11:01:33

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9896	Prosperity Bank  Houston, TX 88-2265/1131-63	<b>01382</b> 08/09/2021
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PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF QUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kevin Thompson*

MEMO MAINTENANCE: 6/1-6/15/21 PROTEST

⑈0000001382⑈ ⑆113122655⑆ 219998311⑈

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By *Quadalupa Garza*  
By Buzbee Law Firm Attorney in Fact  
Business Checking 433418By *Kevin Thompson*  
Buzbee Law Firm

For Deposit Only 13410

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ANTHONY G BUZBEE REMOTE DEP CAPTURE 06/16/2021 13:19:45



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 68 of 102

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-63	01392 06/22/2021
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PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kevin Kindig*

MEMO MAINTENANCE: 6/16-6/30/21 (PROTEST)

⑈0000001392⑈ ⑈113122655⑈ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 06/29/2021 13:34:41

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By *Guadalupe Garza*  
By Buzbee Law Firm Attorney in Fact  
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By *Guadalupe Garza*  
Buzbee Law Firm  
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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 69 of 102

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9998	Prosperity Bank  Houston, TX 88-2265/1131-63	<b>01425</b> 07/08/2021
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PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

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TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Keri Moschler*

MEMO MAINTENANCE: 7/1-7/15/21 (PROTEST)

⑈0000001425⑈ ⑆113122655⑆ 219998311⑈

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By *Guadalupe Garza*  
Buzbee Law Firm  
133415  
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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank Houston, TX 88-2265/1131-63	01466 07/23/2021
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PAY Six Hundred Forty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*640.00

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TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

MEMO: MAINTENANCE; 7/16-7/31/21 (PROTEST)

⑈0000001466⑈ ⑆113122655⑆ 219998311⑈

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For Deposit Only 133416By Buzbee Law Firm  
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133416By Buzbee Law Firm  
Business Checking  
133416By Buzbee Law Firm  
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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-63	01481 08/11/2021
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PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Guadalupe Garza*

MEMO MAINTENANCE FOR 8/1-8/15/2021 (UNDER PROTEST)

⑈000000148⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 08/17/2021 10:33:42

FEDERAL RESERVE BOARD OF GOVERNORS REG. CG

By *Guadalupe Garza*  
Buzbee Law Firm  
Business Checking  
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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 73 of 102

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H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9998

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01527  
09/09/2021

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*[Signature]*

MEMO MAINTENANCE: 9/1-9/15/21 (PROTEST)

⑈0000001527⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 09/14/2021 11:13:50

*Guadalupe Garza*  
By Buzbee Law Firm  
Business Checking  
133418  
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Buzbee Law Firm  
133418



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 74 of 102

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H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9996

Prosperity Bank  
Houston, TX  
88-2265/1131-63

**01550**  
09/23/2021

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

MEMO MAINTENANCE: 9/16-9/30/21 (PROTEST)

⑈0000001550⑈ 12113122655⑈

219998311⑈

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By Guadalupe Garza  
Buzbee Law Firm, Attorney in FactBy [Signature]  
Buzbee Law Firm

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Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 75 of 102

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H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-63	<b>01567</b> 10/07/2021
---	---	----------------------------

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

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C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

VOID AFTER 180 DAYS

*[Signature]*

MEMO MAINTENANCE: 10/1-10/15/21 (PROTEST)

⑈0000001567⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 10/14/2021 12:23:05

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*Guadalupe Garza*

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40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9996

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01582  
10/26/2021

AMOUNT  
\$ \*\*\*\*\*640.00

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ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Karen Hindorf*

MEMO MAINTENANCE: 10/16-10/31/21 (PROTEST)

11000000 158 211 12 1 13 1 226551

219998311

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issue not listed previously in the database

Security Features

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FEDERAL BUREAU OF INVESTIGATION

ANTHONY G BIZBEE # NOTE DEP CAPTURE 10/28/2021 10:09:47

*Evidence*

By Bubbee Law Firm Attorney in PGC  
ADUONY BUBBEE CLIENT EXPENSE  
SY *Bubbee* 13348  
*Bubbee Law Firm*  
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H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
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Houston, TX 77090-3530  
281-350-9996

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01596  
11/09/2021

PAY, Six Hundred and xx / 100 \*\*\*\*\* AMOUNT  
\$ \*\*\*\*\*600.00

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TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Karen Kiefer*

MEMO MAINTENANCE: 11/1-11/15/21 (PROTEST)

2199983110

19 of criminal attention  
 20 of 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 84

ANTHONY G BLUFF REMOTE SLP CAPTURE 11/17/2021 10:17:38

By Elizabeth S. [Signature]  
Home Phone Bank [Signature]  
By Buzzell Law Firm  
133413  
For Deposit Only



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 78 of 102

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H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9996

Prosperity Bank  
Houston, TX  
88-2265/1131-63

01614  
11/22/2021

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kevin Hirsch*

MEMO MAINTENANCE: 11/16-11/30/21 (PROTEST)

⑈0000001614⑈ ⑆113122655⑆

219998311⑈

ANCHORA G BUZBE REMOTE DEP CAPTURE 11/30/2021 14:10:27

By *Guadalupe Garza*  
Buzbee Law Firm  
For Deposit Only 133418

Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 79 of 102

# Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2266/1131-63	<b>01645</b> 12/08/2021
---	---	----------------------------

PAY Six Hundred and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*600.00

VOID AFTER 180 DAYS

TO THE ORDER OF **GUADALUPE GARZA**  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Kenna Windford*

MEMO MAINTENANCE: 12/1-12/15/21 (PROTEST)

⑈0000001645⑈ ⑆1113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 12-13-2021 14:42:13

ENDORSE HERE

By *Guadalupe Garza*  
Buzbee Law Firm  
133410-  
BUZBEE CLIENT EXPENSE

By *[Signature]*  
Buzbee Law Firm  
For Deposit Only 133410

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
RESERVED FOR THE BANK'S USE



Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 80 of 102

✓ Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants Callan Marine, LTD Escrow Account 40 Cypress Creek Pkwy #435 Houston, TX 77090-3530 281-350-9996	Prosperity Bank  Houston, TX 88-2265/1131-63	<b>01662</b> 12/22/2021
---	---	----------------------------

PAY Six Hundred Forty and xx / 100 \*\*\*\*\* AMOUNT \$ \*\*\*\*\*640.00

VOID AFTER 180 DAYS

TO THE  
ORDER OF GUADALUPE GARZA  
C/O The Buzbee Law Firm  
600 Travis Street Suite 7300  
Houston, TX 77002

*Keon Thugart*

MEMO MAINTENANCE FOR 12/16-12/31/21

⑈0000001662⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE REMOTE DEP CAPTURE 12/29/2021 14:23:34

GOVERNORS REG. CC

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE

By Guadalupe Garza  
ANTHONY G BUZBEE CLIENT EXPENSE  
Buzbee Law Firm  
For Deposit Only 13346

ENDORSED  
By Buzbee Law Firm Attorney in Fact  
113100570

# EXHIBIT 9



**THE STATE OF TEXAS**

**WITNESS SUBPOENA/SUBPOENA DUCES TECUM**

**PURSUANT TO THE TEXAS RULES OF CIVIL PROCEDURE 176**

Cause No. 2020CCV-61002-3; *Guadalupe Garza v. Callan Marine Ltd.*;  
In the County Court at Law No. 3 for Nueces County, Texas.

TO: ANY SHERIFF OR CONSTABLE OF THE STATE OF TEXAS OR OTHER PERSON  
AUTHORIZED TO SERVE AND EXECUTE SUBPOENAS AS PROVIDED IN  
RULE 176 T.R.C.P.

**YOU ARE COMMANDED TO SUMMON AND SUBPOENA THE  
FOLLOWING WITNESS:** Jonathan Vickery or Betty Balli Torres ("WITNESS"), which  
may be served through its Registered Agent for service of process, as follows: Texas  
Access to Justice Foundation, PO Box 12886 Austin, Texas 78711-2886.

**SAID WITNESS IS COMMANDED** to produce the following books, papers,  
documents, or other tangible things for copying and inspection on or before **10:00 A.M.**  
**on September 12, 2022**, at Frost Brown Todd LLC, 4400 Post Oak Parkway, Suite  
2850, Houston, Texas 77027:

1. Any and all documents regarding **Bank Account Number 133418, believed to be of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm** including the following:
  - a. Documents identifying that Bank Account Number 133418 as an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 133418 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 133418 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 133418 ever lost its designation as an IOLTA account.



2. Any and all documents regarding **Bank Account Number 6000398, believed to be of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm**, including the following:
  - a. Documents identifying that Bank Account Number 6000398 is an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 6000398 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 6000398 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 6000398 ever lost its designation as an IOLTA account.
3. Any and all documents regarding **Bank Account Number 68853 of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm**, including the following:
  - a. Documents identifying that Bank Account Number 68853 is an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 68853 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 68853 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 68853 ever lost its designation as an IOLTA account.
4. Any and all documents regarding **Bank Account Number 6001548 of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm**, including the following:
  - a. Documents identifying that Bank Account Number 6001548 is an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 6001548 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 6001548 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 6001548 ever lost its designation as an IOLTA account.



5. Any and all documents regarding **IOLTA account information for Anthony G. Buzbee of The Buzbee Law Firm, Texas Bar No. 24001820**, excluding for the Bank Account Numbers identified in #1 - #4 above, but including, and not limited to, documents identifying all IOLTA bank account numbers associated with Anthony G. Buzbee and/or The Buzbee Law Firm.
6. For each such IOLTA account identified in response to Item #5 above, please produce documents identifying:
  - a. the account holder information for each such account;
  - b. the date on which the account was first registered as an IOLTA account with the Texas Access to Justice Foundation;
  - c. the date on which the TAJF designated the account, or accepted its designation as, an IOLTA account; and
  - d. the bank through which such IOLTA count is held / drawn on.
7. Any rules, restrictions, orders, opinions, or other governing documents which address or discuss whether an attorney licensed by the Supreme Court of Texas may hold or own an interest, financial or otherwise, or exercise control, whether through voting rights or otherwise, in an "eligible institution" as that term is used in the *Rules Governing the Operation of the Texas Access to Justice Foundation*, as may be amended from time to time.
8. Copies of any compliance statements and other documentation, submitted by **Anthony G. Buzbee of The Buzbee Law Firm, Texas Bar No. 24001820** to the Texas Access to Justice Foundation, required to be submitted under Rule 23 of the *Rules Governing the Operation of the Texas Access to Justice Foundation*.
9. An executed business records affidavit by a Custodian of Records for WITNESS substantially in the form as attached hereto as Exhibit "A".

**DO NOT FAIL** to return this writ to said Court, with return thereon, showing the manner of execution.

**ISSUED** this the 26th day of August 2022.

By: /s/ Kenneth W. Bullock II  
Kenneth W. Bullock, II (kbullock@fbtlaw.com)  
State Bar No. 24055227  
Melissa D. Kirby (mkirby@fbtlaw.com)  
State Bar No. 24105431  
Lindsay M. Contreras (lcontreras@fbtlaw.com)  
State Bar No. 24094164  
FROST BROWN TODD LLC  
4400 Post Oak Parkway, Suite 2850  
Houston, Texas 77027  
Telephone: 713-590-9300  
Facsimile: 713-590-9399  
kbullock@fbtlaw.com  
mkirby@fbtlaw.com  
lcontreras@fbtlaw.com

- And -

By: /s/ Rusty Hardin  
Rusty Hardin (rhardin@rustyhardin.com)  
State Bar No. 08972800  
Daniel R. Dutko (ddutko@rustyhardin.com)  
State Bar No. 24054206  
Leah Graham (lgraham@rustyhardin.com)  
State Bar No. 24073454  
Victoria Reilly (treilly@rustyhardin.com)  
State Bar No. 24118679  
RUSTY HARDIN & ASSOCIATES LLP  
5 Houston Center  
1401 McKinney Street, Suite 2250  
Houston, Texas 77010  
Telephone: (713) 652-9000  
Facsimile: (713) 652-9800

**ATTORNEY FOR DEFENDANT  
CALLAN MARINE LTD.**



**PROOF OF SERVICE AND SUBPOENA RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_  
o'clock \_\_\_\_M., and executed the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at  
\_\_\_\_\_ o'clock \_\_\_\_M., by delivering to within named \_\_\_\_\_ person at  
\_\_\_\_\_ in \_\_\_\_\_ County, Texas, a true copy of this  
Subpoena, and tendering said witness sum of \$\_\_\_\_\_.

By: \_\_\_\_\_  
Person who is not a party to the suit, and is not  
less than 18 years of age.

**ACCEPTANCE OF SERVICE OF SUBPOENA BY WITNESS  
PER RULE 176 T.R.C.P.**

I, the undersigned witness named in the Subpoena acknowledge receipt of a copy thereof,  
and hereby accept service of the attached subpoena, and will appear in said court on said  
date and time directed in this subpoena.

***Rule 176.8(a) Contempt: Failure by any person without adequate excuse to  
obey a subpoena served upon that person may be deemed a contempt of the  
court from which the subpoena is issued or a district court in the county in  
which the subpoena is served, and may be punished by fine or confinement,  
or both.***

\_\_\_\_\_  
SIGNATURE OF WITNESS

\_\_\_\_\_  
DATE

\*\*\*\*\*

Not executed as to the witness for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FEE FOR SERVICE OF SUBPOENA: \$ \_\_\_\_\_

0145809.0756058 4868-7718-6094v1

# EXHIBIT A





**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Bridgette Hopkins on behalf of Kenneth Bullock II

Bar No. 24055227

bhopkins@fbtlaw.com

Envelope ID: 67719756

Status as of 8/30/2022 10:56 AM CST

Associated Case Party: Guadalupe Garza

Name	BarNumber	Email	TimestampSubmitted	Status
Jessica Salto		jsalto@txattorneys.com	8/26/2022 4:12:54 PM	SENT
Christopher Leavitt		cleavitt@txattorneys.com	8/26/2022 4:12:54 PM	SENT
Anthony Buzbee		tbuzbee@txattorneys.com	8/26/2022 4:12:54 PM	SENT



**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Bridgette Hopkins on behalf of Kenneth Bullock II

Bar No. 24055227

bhopkins@fbtlaw.com

Envelope ID: 67719756

Status as of 8/30/2022 10:56 AM CST

**Case Contacts**

Name	BarNumber	Email	TimestampSubmitted	Status
Ryan K.Higgins		rhiggins@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Bridget Daspit		bdaspit@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Shannon Campbell		scampbell@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Leah MGraham		lgraham@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
John MacVane		jmacvane@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Sandra Dominguez		sdominguez@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Victoria Reilly		treilly@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Daniel R.Dutko		ddutko@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Rusty Hardin		rhardin@rustyhardin.com	8/26/2022 4:12:54 PM	SENT
Cathy Gibson		cgibson@rustyhardin.com	8/26/2022 4:12:54 PM	SENT

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Bridgette Hopkins on behalf of Kenneth Bullock II

Bar No. 24055227

bhopkins@fbtlaw.com

Envelope ID: 67719756

Status as of 8/30/2022 10:56 AM CST

Associated Case Party: Callan Marine, LTD

Name	BarNumber	Email	TimestampSubmitted	Status
Susan NoeWilson		snoewilson@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Sonja M.Beard		sbeard@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Amy Durocher		adurocher@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Marilyn Vilandos		mvilandos@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Dylan Hoke		dhoke@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Melissa DKirby		mkirby@fbtlaw.com	8/26/2022 4:12:54 PM	SENT
Lindsay Contreras		lcontreras@fbtlaw.com	8/26/2022 4:12:54 PM	SENT
John Schwambach		jschwambach@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Kelly M.Haas		khaas@sbsblaw.com	8/26/2022 4:12:54 PM	SENT
Kenneth W.Bullock		kbullock@fbtlaw.com	8/26/2022 4:12:54 PM	SENT



# EXHIBIT 10

By Jae Walden  
Buzbee Law Firm, Attorney in Fact  
For Deposit Only 6000398



# EXHIBIT 11

1/14/2021

Check Image - Prosperity Bank

Case: 25CI1:25-cv-00177-WLK Document #: 6-1 Filed: 03/11/2025 Page 95 of 102

## ▼ Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND: DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

H&H Claims Consultants  
Callan Marine, LTD Escrow Account  
140 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9996

Prosperity Bank

01051

12/02/2020

Houston, TX  
88-2265/1131-63

AMOUNT

PAY Fifty-eight and 64 / 100 \*\*\*\*\* \$ \*\*\*\*\*58.64

VOID AFTER 180 DAYS

TO THE  
ORDER OF Mr. Denver Hall  
2490 Highway 37  
McCrary, AR 72101

MEMO: PAYROLL SOFTWARE ERROR - Maintenance

⑈0000001051⑈ ⑆113122655⑆ 219998311⑈

ANTHONY G BUZBEE LP REMOTE DEPOSIT 12/09/2020 13:46:11

By Denver Hall  
BUZBEE LAW FIRM  
1370/570  
OLTA CHECKING  
6001548  
For Deposit Only



# EXHIBIT 12

✓ Check Image Viewer

THIS DOCUMENT HAS A GRADUATED BACKGROUND, DARK TO LIGHT. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

**H&H Claims Consultants**  
FBO Jose Maldonado  
40 Cypress Creek Pkwy #435  
Houston, TX 77090-3530  
281-350-9996

**Prosperity Bank**  
2826 FM 1980 East  
Houston, TX 77073-2606  
281-443-7600

1004

DATE 7/7/2020

88-2285 / 1131-83

PAY TO THE  
ORDER OF JOSE MALDONADO \$ \*\*525.00

Five Hundred Twenty-Five Only\*\*\*\*\* DOLLARS

MEMO: 3262  
MAINTENANCE: 7/11 - 7/15/2020 (UNDER PROTEST)

⑆113122655⑆ 08 6283 5111 1004

ANTHONY G BUZZER LP REMOTE DEPOSIT 07/15/2020 11:43:56

By Jose Maldonado  
By Buzbee Law Firm  
For Deposit Only 68853

# EXHIBIT 13



**CAUSE NO. 2020CCV-61002-3**

GUADALUPE GARZA  
*Plaintiff,*

VS.

CALLAN MARINE, LTD.  
*Defendant.*

§  
§  
§  
§  
§  
§  
§

IN COUNTY COURT AT LAW 3

NUECES COUNTY, TEXAS

**JURY TRIAL DEMANDED**

**PLAINTIFF'S OBJECTIONS TO THE WITNESS  
SUBPOENA/SUBPOENA DUCES TECUM OF THE CUSTODIAN OF  
RECORDS FOR TEXAS ACCESS TO JUSTICE FOUNDATION**

TO: Defendant, CALLAN MARINE, LTD., by and through its attorneys of record, Kenneth W. Bullock, Melissa D. Kirby, and Lindsay M. Contreras, FROST BROWN TODD LLC, 4400 Post Oak Parkway, Suite 2850, Houston, Texas 77027 and Rusty Hardin, Daniel R. Dutko, Leah Graham, and Victoria Reilly, RUSTY HARDIN & ASSOCIATES LLP, 5 Houston Center, 1401 McKinney Street, Suite 2250, Houston, Texas 77010.

Plaintiff submits the following objections to the subpoena duces tecum submitted by Defendant to the Custodian of Records for Texas Access to Justice Foundation.

**OBJECTIONS TO CALLAN MARINE, LTD.'S WITNESS SUBPOENA/SUBPOENA  
DUCES TECUM**

1. Any and all documents regarding **Bank Account Number 133418, believed to be of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm** including the following:
  - a. Documents identifying that Bank Account Number 133418 as an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 133418 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 133418 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 133418 ever lost its designation as an IOLTA account.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

2. Any and all documents regarding **Bank Account Number 6000398, believed to be of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm**, including the following:
  - a. Documents identifying that Bank Account Number 6000398 is an IOLTA bank account registered with the Texas Access to Justice Foundation;



- b. Documents identifying that Bank Account Number 6000398 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
- c. Documents identifying on what date Bank Account Number 6000398 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
- d. Documents identifying whether Bank Account Number 6000398 ever lost its designation as an IOLTA account.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

3. Any and all documents regarding **Bank Account Number 68853 of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm**, including the following:
- a. Documents identifying that Bank Account Number 68853 is an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 68853 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 68853 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 68853 ever lost its designation as an IOLTA account.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

4. Any and all documents regarding **Bank Account Number 6001548 of HomeTown Bank, N.A. and registered to Anthony G. Buzbee and/or Buzbee Law Firm**, including the following:
- a. Documents identifying that Bank Account Number 6001548 is an IOLTA bank account registered with the Texas Access to Justice Foundation;
  - b. Documents identifying that Bank Account Number 6001548 has been in compliance with all Texas Access to Justice Foundation practices and requirements since January 1, 2020, to present;
  - c. Documents identifying on what date Bank Account Number 6001548 was first registered as an IOLTA account with the Texas Access to Justice Foundation; and
  - d. Documents identifying whether Bank Account Number 6001548 ever lost its designation as an IOLTA account.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

5. Any and all documents regarding **IOLTA account information for Anthony G. Buzbee of The Buzbee Law Firm, Texas Bar No. 24001820**, excluding for the Bank Account Numbers identified in #1 - #4 above, but including, and not limited to, documents identifying all IOLTA bank account numbers associated with Anthony G. Buzbee and/or The Buzbee Law Firm.

6. For each such IOLTA account identified in response to Item #5 above, please produce documents identifying:
- a. the account holder information for each such account;
  - b. the date on which the account was first registered as an IOLTA account with the Texas Access to Justice Foundation;



- c. the date on which the TAJF designated the account, or accepted its designation as, an IOLTA account; and
- d. the bank through which such IOLTA count is held/drawn on.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

7. Any rules, restrictions, orders, opinions, or other governing documents which address or discuss whether an attorney licensed by the Supreme Court of Texas may hold or own an interest, financial or otherwise, or exercise control, whether through voting rights or otherwise, in an “eligible institution” as that term is used in the *Rules Governing the Operation of the Texas Access to Justice Foundation*, as may be amended from time to time.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

8. Copies of any compliance statements and other documentation, submitted by **Anthony G. Buzbee of The Buzbee Law Firm, Texas Bar No. 24001820** to the Texas Access to Justice Foundation, required to be submitted under Rule 23 of the *Rules Governing the Operation of the Texas Access to Justice Foundation*.

**OBJECTION: Overly broad; Irrelevant; Not reasonably limited in time, nature, or scope; Not reasonably calculated to lead to the discovery of admissible evidence; Harassing.**

Respectfully submitted,

**THE BUZBEE LAW FIRM**

By: /s/ Christopher J. Leavitt

Anthony G. Buzbee  
State Bar No. 24001820  
Christopher J. Leavitt  
State Bar No. 24053318  
JPMorgan Chase Tower  
600 Travis Street, Suite 7300  
Houston, Texas 77002  
Tel: (713) 223-5393  
Fax: (713) 223-5909  
[www.txattorneys.com](http://www.txattorneys.com)  
[tbuzbee@txattorneys.com](mailto:tbuzbee@txattorneys.com)  
[cleavitt@txattorneys.com](mailto:cleavitt@txattorneys.com)

**ATTORNEYS FOR PLAINTIFF**



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document has been duly served on all counsel of record in accordance with the Texas Rules of Civil Procedure on September 6, 2022, via E-Service.

/s/ Christopher J. Leavitt

Christopher J. Leavitt

**LETTER OF TRANSMITTAL**

**CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**MARCY CROFT**

**PLAINTIFF**

**VS.**

**Case No. 25CI1:25-cv-00177-WLK**

**ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO**

**DEFENDANTS**

**March 10, 2025**

To the Clerk of the Hinds County Circuit Court  
407 E. Pascagoula St.  
Jackson, Mississippi 39205

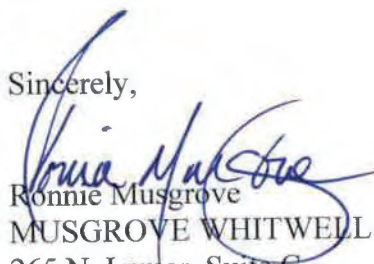
Re: Pro Hac Vice Application for Gregg Costa

To the Clerk of the Court:

Please see the enclosed Certificate of Service verifying that as of even date hereof, no other party has appeared in this matter.

Should you have any questions, please contact me at (662) 668-3200 or by email at [musgrove@musgrovehitwell.com](mailto:musgrove@musgrovehitwell.com).

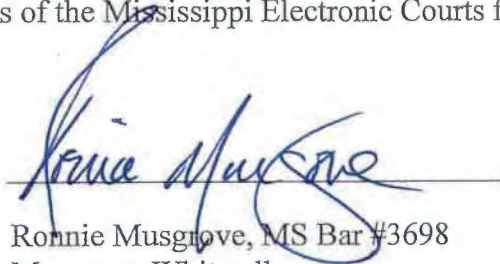
Sincerely,



Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar, Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
[Musgrove@musgrovehitwell.com](mailto:Musgrove@musgrovehitwell.com)

**CERTIFICATE OF SERVICE**

I hereby certify that no other parties have previously appeared in this cause (*Croft v. Buzbee, et. al.*) as of this date, March 10, 2025. Shall any party appear in this cause, this Verified Application shall be available through means of the Mississippi Electronic Courts filing system.

A handwritten signature in blue ink, appearing to read "Ronnie Musgrove", is written over a horizontal line.

Ronnie Musgrove, MS Bar #3698  
Musgrove Whitwell  
265 N. Lamar Blvd., Suite C  
Oxford, MS 38655  
Phone: (662)668-3200  
Email: [musgrove@musgrovewhitwell.com](mailto:musgrove@musgrovewhitwell.com)



**LETTER OF TRANSMITTAL**

**CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**MARCY CROFT**

**PLAINTIFF**

**VS.**

**Case No. 25CI1:25-cv-00177-WLK**

**ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO**

**DEFENDANTS**

**March 10, 2025**

To the Clerk of the Hinds County Circuit Court  
407 E. Pascagoula St.  
Jackson, Mississippi 39205

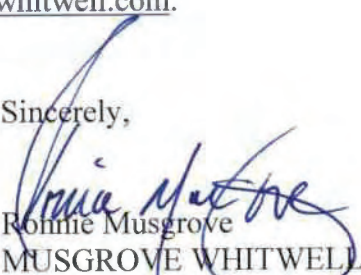
Re: Pro Hac Vice Application for Reed Brodsky

To the Clerk of the Court:

Please see the enclosed Certificate of Service verifying that as of even date hereof, no other party has appeared in this matter.

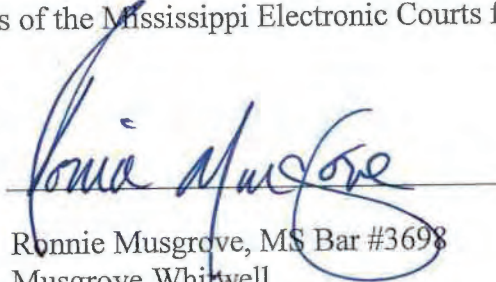
Should you have any questions, please contact me at (662) 668-3200 or by email at [musgrove@musgrovewhitwell.com](mailto:musgrove@musgrovewhitwell.com).

Sincerely,

  
Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar, Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
[Musgrove@musgrovewhitwell.com](mailto:Musgrove@musgrovewhitwell.com)

**CERTIFICATE OF SERVICE**

I hereby certify that no other parties have previously appeared in this cause (*Croft v. Buzbee, et. al.*) as of this date, March 10, 2025. Shall any party appear in this cause, this Verified Application shall be available through means of the Mississippi Electronic Courts filing system.

A handwritten signature in blue ink, reading "Ronnie Musgrove", is written over a horizontal line.

Ronnie Musgrove, MS Bar #3698  
Musgrove Whitwell  
265 N. Lamar Blvd., Suite C  
Oxford, MS 38655  
Phone: (662)668-3200  
Email: [musgrove@musgrovewhitwell.com](mailto:musgrove@musgrovewhitwell.com)

**LETTER OF TRANSMITTAL**

**CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**MARCY CROFT**

**PLAINTIFF**

**VS.**

**Case No. 25CI1:25-cv-00177-WLK**

**ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO**

**DEFENDANTS**

**March 10, 2025**

To the Clerk of the Hinds County Circuit Court  
407 E. Pascagoula St.  
Jackson, Mississippi 39205

Re: Pro Hac Vice Application for Sydney Scott

To the Clerk of the Court:

Please see the enclosed Certificate of Service verifying that as of even date hereof, no other party has appeared in this matter.

Should you have any questions, please contact me at (662) 668-3200 or by email at [musgrove@musgrovewhitwell.com](mailto:musgrove@musgrovewhitwell.com).

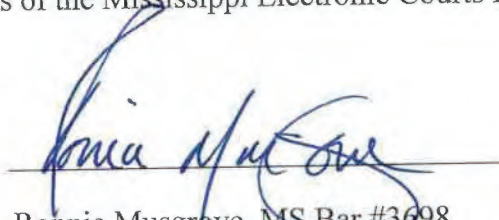
Sincerely,

  
Rommie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar, Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
[Musgrove@musgrovewhitwell.com](mailto:Musgrove@musgrovewhitwell.com)



**CERTIFICATE OF SERVICE**

I hereby certify that no other parties have previously appeared in this cause (*Croft v. Buzbee, et. al.*) as of this date, March 10, 2025. Shall any party appear in this cause, this Verified Application shall be available through means of the Mississippi Electronic Courts filing system.

A handwritten signature in blue ink, appearing to read "Ronnie Musgrove", is written over a horizontal line.

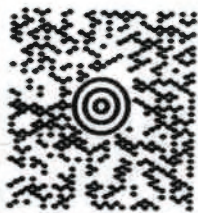
Ronnie Musgrove, MS Bar #3698  
Musgrove Whitwell  
265 N. Lamar Blvd., Suite C  
Oxford, MS 38655  
Phone: (662)668-3200  
Email: musgrove@musgrovewhitwell.com

RONNIE MUSGROVE  
(601) 668-3200  
135 MAYFIELD  
OKFORD MS 38655

1 LBS  
1 OF 1  
SHP WT: 1 LBS  
DATE: 10 MAR 2025

SHIP ATTN CIVIL, CLERK OF COURT  
TO: HINDS COUNTY CIRCUIT CLERK  
407 E PASCAGOULA ST

JACKSON MS 39201-4206

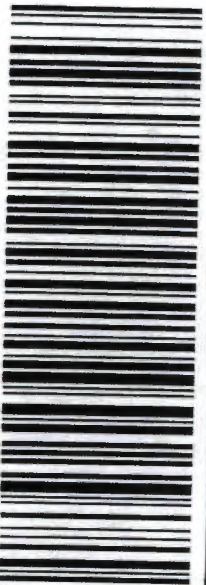


MS 392 9-05



UPS GROUND

TRACKING #: 1Z E05 7R4 03 9346 3197





IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

Cause No. 25CI1:25-cv-00177-WLK

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF HINDS

TO: ANTHONY G. BUZBEE  
1722 River Oaks Blvd.  
Houston, Texas 77019

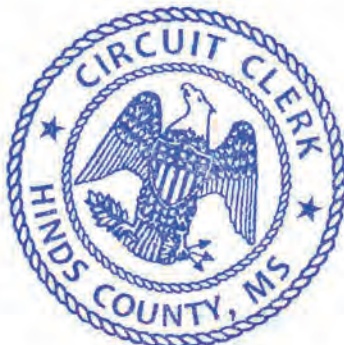
NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand deliver a copy of a written response to the Amended Complaint to **Ronnie Musgrove**, Attorney for the Plaintiff, whose address is **Musgrove Whitwell, 265 N. Lamar Suite C, Oxford, MS 38655**. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Amended Complaint or a judgment by default will be entered against you for the money or other things demanded in the Amended Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 14 day of March 2025.



**ZACK WALLACE, CIRCUIT CLERK**  
CIRCUIT CLERK OF HINDS COUNTY, MISSISSIPPI

By: \_\_\_\_\_

*Karla Bailey, DC*



(Seal)

Presented By:

---

Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Email: Musgrove @musgrovewhitwell.com  
*Attorney for Plaintiff*

**PROOF OF SERVICE—SUMMONS**

(Process Server)

**NAME OF PERSON OR ENTITY SERVED:** \_\_\_\_\_

I, the undersigned process server, served the Summons and Amended Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

☐ **FIRST CLASS MAIL AND ACKNOWLEDGEMENT SERVICE.** By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgement and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

☐ **PERSONAL SERVICE:** I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, where I found him/her in \_\_\_\_\_ County, State of \_\_\_\_\_.

☐ **RESIDENCE SERVICE:** After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ County, State of \_\_\_\_\_. I served the Summons and Amended Complaint on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at the usual place of abode of the said person by leaving a true copy with \_\_\_\_\_, who is the \_\_\_\_\_ (wife, husband, son, daughter or other person as the case may be) of said individual and a member of his/her family over the age of sixteen (16) years who was willing to receive the same on his/her behalf. I mailed, by first class mail, postage prepaid, copies to the person at his/her usual place of abode where the copies were left.

☐ **CERTIFIED MAIL SERVICE:** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service, I was at least eighteen (18) years of age and not a party to this action.

Fee for service: \$\_\_\_\_\_

Process server must list below: [Please print or type]

Name: \_\_\_\_\_

Social Security No. \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_



STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service—Summons" are true and correct as therein stated.

\_\_\_\_\_  
Process Server's Signature

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal) My Commission Expires:

IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

Cause No. 25CI1:25-cv-00177-  
WLK

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF HINDS

TO: JOSE MALDONADO  
2209 Mulberry Lane  
Pasadena, TX 77502

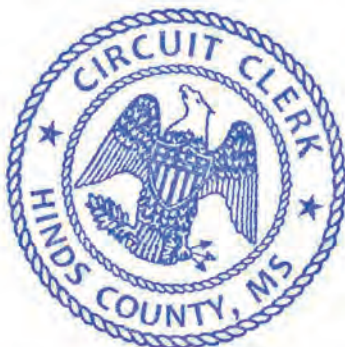
NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT  
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand deliver a copy of a written response to the Amended Complaint to **Ronnie Musgrove**, Attorney for the Plaintiff, whose address is **Musgrove Whitwell, 265 N. Lamar Suite C, Oxford, MS 38655**. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Amended Complaint or a judgment by default will be entered against you for the money or other things demanded in the Amended Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 14 day of March 2025.



**ZACK WALLACE, CIRCUIT CLERK**  
CIRCUIT CLERK OF HINDS COUNTY, MISSISSIPPI

By: Karla Bailey, sc

Presented By:

---

Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Email: Musgrove@musgrovewhitwell.com  
*Attorney for Plaintiff*



**PROOF OF SERVICE—SUMMONS**  
(Process Server)

**NAME OF PERSON OR ENTITY SERVED:** \_\_\_\_\_

I, the undersigned process server, served the Summons and Amended Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

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☐ **PERSONAL SERVICE:** I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, where I found him/her in \_\_\_\_\_ County, State of \_\_\_\_\_.

☐ **RESIDENCE SERVICE:** After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ County, State of \_\_\_\_\_. I served the Summons and Amended Complaint on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the usual place of abode of the said person by leaving a true copy with \_\_\_\_\_, who is the \_\_\_\_\_ (wife, husband, son, daughter or other person as the case may be) of said individual and a member of his/her family over the age of sixteen (16) years who was willing to receive the same on his/her behalf. I mailed, by first class mail, postage prepaid, copies to the person at his/her usual place of abode where the copies were left.

☐ **CERTIFIED MAIL SERVICE:** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service, I was at least eighteen (18) years of age and not a party to this action.

Fee for service: \$ \_\_\_\_\_

Process server must list below: [Please print or type]

Name: \_\_\_\_\_  
Social Security No. \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone No. \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service—Summons" are true and correct as therein stated.

\_\_\_\_\_  
Process Server's Signature

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal) My Commission Expires:



IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

Cause No. 25CI1:25-cv-00177-WLK

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF HINDS

TO: PETER TAAFFE, Registered Agent  
600 Travis St, Ste. 7300  
Houston, Texas 77002  
ATTN: ANTHONY G. BUZBEE, L.P. d/b/a THE BUZBEE LAW FIRM

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND ANTHONY G. BUZBEE, L.P., MUST TAKE IMMEDIATE ACTION TO PROTECT ITS RIGHTS.

Anthony G. Buzbee, L.P., is required to mail or hand deliver a copy of a written response to the Amended Complaint to **Ronnie Musgrove**, Attorney for the Plaintiff, whose address is **Musgrove Whitwell, 265 N. Lamar Suite C, Oxford, MS 38655**. Its response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Amended Complaint or a judgment by default will be entered against it for the money or other things demanded in the Amended Complaint.

Anthony G. Buzbee, L.P., must also file the original of its response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 14 day of March, 2025.

ZACK WALLACE, CIRCUIT CLERK  
CIRCUIT CLERK OF HINDS COUNTY, MISSISSIPPI

By: \_\_\_\_\_

Karla Bailey, Jr.

(Seal)





Presented By:

---

Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Email: Musgrove @musgrovewhitwell.com  
*Attorney for Plaintiff*

**PROOF OF SERVICE—SUMMONS**

(Process Server)

**NAME OF PERSON OR ENTITY SERVED:** \_\_\_\_\_

I, the undersigned process server, served the Summons and Amended Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

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☐ **PERSONAL SERVICE:** I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, where I found him/her in \_\_\_\_\_ County, State of \_\_\_\_\_.

☐ **RESIDENCE SERVICE:** After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ County, State of \_\_\_\_\_. I served the Summons and Amended Complaint on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at the usual place of abode of the said person by leaving a true copy with \_\_\_\_\_, who is the \_\_\_\_\_ (wife, husband, son, daughter or other person as the case may be) of said individual and a member of his/her family over the age of sixteen (16) years who was willing to receive the same on his/her behalf. I mailed, by first class mail, postage prepaid, copies to the person at his/her usual place of abode where the copies were left.

☐ **CERTIFIED MAIL SERVICE:** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service, I was at least eighteen (18) years of age and not a party to this action.

Fee for service: \$ \_\_\_\_\_

Process server must list below: [Please print or type]

Name: \_\_\_\_\_

Social Security No. \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing “Proof of Service—Summons” are true and correct as therein stated.

\_\_\_\_\_  
Process Server’s Signature

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal) My Commission Expires:



IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

Case No. 25-177

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

**PLAINTIFF'S PROPOSED ORDER GRANTING MOTION FOR ADMISSION *PRO***  
***HAC VICE OF REED BRODSKY***

THIS MATTER is before the Court on the Motion of Plaintiff Marcy Croft for Admission of Reed Brodsky as co-counsel *pro hac vice*. The Court, having reviewed and considered the motion and being fully advised in the premises, finds that the motion is well taken and should be granted.

**IT IS, THEREFORE, ORDERED AND ADJUDGED THAT:**

1. Plaintiff's Motion for Admission *Pro Hac Vice* of Reed Brodsky is hereby GRANTED; and
2. The Court finds that Reed Brodsky may appear as co-counsel for Marcy Croft in the above-styled and numbered civil action.

SO ORDERED this 21<sup>st</sup> day of March, 2025.

  
\_\_\_\_\_  
CIRCUIT COURT JUDGE

Submitted by:

  
\_\_\_\_\_  
Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Email: Musgrove@musgrovewhitwell.com

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

Case No. 25-177

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

**PLAINTIFF'S PROPOSED ORDER GRANTING MOTION FOR ADMISSION *PRO***  
***HAC VICE* OF SYDNEY A. SCOTT**

THIS MATTER is before the Court on the Motion of Plaintiff Marcy Croft for Admission of Sydney A. Scott as co-counsel *pro hac vice*. The Court, having reviewed and considered the motion and being fully advised in the premises, finds that the motion is well taken and should be granted.

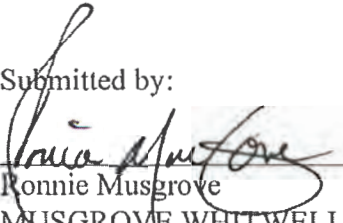
**IT IS, THEREFORE, ORDERED AND ADJUDGED THAT:**

1. Plaintiff's Motion for Admission *Pro Hac Vice* of Sydney A. Scott is hereby GRANTED; and
2. The Court finds that Sydney A. Scott may appear as co-counsel for Marcy Croft in the above-styled and numbered civil action.

SO ORDERED this 2<sup>nd</sup> day of March, 2025.

  
\_\_\_\_\_  
CIRCUIT COURT JUDGE

Submitted by:

  
\_\_\_\_\_  
Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Email: Musgrove@musgrovewhitwell.com

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

MARCY CROFT

PLAINTIFF

VS.

Case No. 25-177

ANTHONY G. BUZBEE, ANTHONY G.  
BUZBEE, L.P. d/b/a THE BUZBEE LAW  
FIRM, AND JOSE MALDONADO

DEFENDANTS

**PLAINTIFF'S PROPOSED ORDER GRANTING MOTION FOR ADMISSION *PRO***  
***HAC VICE OF GREGG J. COSTA***

THIS MATTER is before the Court on the Motion of Plaintiff Marcy Croft for Admission of Gregg J. Costa as co-counsel *pro hac vice*. The Court, having reviewed and considered the motion and being fully advised in the premises, finds that the motion is well taken and should be granted.

**IT IS, THEREFORE, ORDERED AND ADJUDGED THAT:**

1. Plaintiff's Motion for Admission *Pro Hac Vice* of Gregg J. Costa is hereby GRANTED; and
2. The Court finds that Gregg J. Costa may appear as co-counsel for Marcy Croft in the above-styled and numbered civil action.

SO ORDERED this 21<sup>st</sup> day of March, 2025.

  
\_\_\_\_\_  
CIRCUIT COURT JUDGE

Submitted by:

  
Ronnie Musgrove  
MUSGROVE WHITWELL  
265 N. Lamar Suite C  
Oxford, MS 38655  
Telephone: (662) 273-8424  
Email: Musgrove@musgrovewhitwell.com